TL 5272

Reconstructing East Timor:

Analysis of the Past and Perspectives for the Future Conference

Final Report

(Tibar Document)

Tibar, East Timor, 29 May - 2 June 2000

Hamutuk Hari'i
Timor

Including Partial Results of the East Timor Women's Congress

Dili, East Timor, 14-17 June 2000

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Acknowledgments

The Steering Committee, including members of Caritas East Timor and the East Timor Development Agency, wish to thank all East Timorese participants who contributed to the Conference held under the auspices of the National Council of Timorese Resistance (CNRT). Similarly, we wish to thank the many non-East Timorese participants including representatives from foreign governments, international non-government organisations, and UNTAET who attended the Conference.

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There are no words to express our appreciation to all the volunteers whose commitment, dedication and hard work contributed enormously to the success of the Conference.

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The following sections contain the reports to the Plenary of each Sector working group of the Conference, any differences are a result of the editing and production process. Each section contains a description of the vision and mission agreed upon by each Sector Working Group and the subsequent strategic goals and policy recommendations identified.

Included in some Sector Chapters are associated World Bank programs specific to that policy area. Also included is a list of papers that were either presented or submitted for discussion to the conference.

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Glossary

ADB	Asian Development Bank
Caritas East Timor	East Timor Catholic Aid Agency
CHC	Community Health Center
CivPol	UNTAET Civilian Police Force
CNRT	*Conselho Nacional da Resistencia Timorense*, National Council of Timorese Resistance
Donors	Countries donating funds to East Timor's Reconstruction
ETDA	East Timor Development Agency
Goal	A desired end, the terminal point to which an endeavor is directed
IHA	Interim Health Authority
IMF	International Monetary Fund
InterFET	International force in East Timor; UN authorized force led by Australia dispatched to East Timor in September 1999.
Mission	The purpose an organisation attempts to fulfill in society
NCC	National Consultative Council; Council made up of CNRT, other East Timorese and UNTAET representatives through which all UNTAET regulations must be passed.
NGO	Non-Government Organisation
NHS	National Health Service
Objective	The object of one's endeavor
Policy	A statement of political intent designated to achieve a set of goals
SRSG	Special Representative of the Secretary General, currently Mr Vieira de Mello
Strategic Plan	A set of interrelated principles, goals, and policies, which describe East Timorese intentions for the future development of East Timor and the actions to be taken to achieve this development
STD	Sexually Transmitted Disease
TBA	Traditional Birth Attendant
Timor Lorosae	East Timor
Values	A set of shared beliefs on how to conduct business. Values fan into mission and mission into vision
Vision	The picture of the future we wish to create, sense of future direction. Overarching goals that drive the organisation into the future.
UNDP	United Nations Development Program
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations Children's Fund
UNTAET	United Nations Transitional Authority in East Timor; UN governing authority for East Timor until independence, authorized by the UN Security Council.
WB	World Bank

Opening Address of President Xanana Gusmao

Welcome honored participants and friends of the People of East Timor.

And thanks to all those who have worked hard to organize this conference and brought us all together here today

Thanks also to all our sponsors and donors:

The World Bank

AusAID

UNDP

USAID

UNICEF

British and Norwegian Governments

The Peace Keeping Forces

UNTAET

UNHCR

World Food Program

International Organisation Migration

Australian Volunteers International

Oxfam International

Who have made it possible for this conference to take place.

Today we find ourselves embarking on a further step in our journey to independence. This conference is a step along the way in the process of planning our future nation. We first came together to plan our national policies in Algarve, Portugal in 1998 while I was still in prison. Then, in April last year a "Strategic Planning Conference" was held in Melbourne, Australia in anticipation of our independence.

The terrible circumstances of the last nine months have meant this is the first time we could all come together again to continue with this planning process. We have suffered so much in the last nine months. Our country was destroyed and we have lived through a period of emergency, of shock and trauma. To organize under such conditions has been enormously difficult but we are all here together today once again to reorganize our nation and ourselves. Since September last year we have been focused on simply staying alive, of reuniting our families, of finding food and shelter, on grieving for what we have lost. We had little capacity to reorganize at a higher level.

Although the response of the international community to our tragedy was quick by international standards for us suffering in East Timor it was not fast enough. The nature of the emergency response has offered little aid for our great job of national rebuilding. We have had only time to react to international organisations and no capacity to direct them in what we East Timorese want.

After September those that could, met in Darwin to reorganize and we have attended two international donors meetings, in Washington and Tokyo. Even in the midst of our crisis and confusion our people have shown their tenacity, their will to keep fighting and to overcome the worst of events. Our capacity was often limited but we never gave up. These efforts to reorganize proves that against the greatest of obstacles the Timorese have always worked to create a national and unified plan of action and thoughtful policies for our future nationhood.

We have learnt a lot from this period of emergency. We have been enormously frustrated but we now understand how the network of international agencies works. We have lived through the period of transition from INTERFET to UNTAET and this has taught us a lot. It has made us understand more clearly the role of the UN and all its agencies.

Many have thought we are confused and do not know what we want. I am sure that we know what we want and where we are heading. It has been very easy to be confused in the rush of aid and information and the demands placed on us for information and ideas. It is a wonder that we have not completely lost our way in this confusion. I am sure that we will overcome all obstacles, that we will survive this period of emergency and reorganize ourselves and be clear about what sort of nation we want to be. Today is further evidence of this.

This conference is the first chance we have had to bring all our expertise together at a national level in our own free country. To come together in our own way and set our own agenda. We want to express clearly and concisely our VISION FOR EAST TIMOR'S FUTURE. I know it will be hard work but we are ready to do it and we need to do it now.

A lot of work has already been done. In Algarve, in Melbourne and here in East Timor at different forums, in the CNRT Sector Groups and by groups in our civil society. We need to look at all this work in the light of the last nine months, what has been lost and what has been achieved. We need to use what is still appropriate from all the hard work of the past, take what we need and apply it to the future.

The best way forward is for all of us to work together to reconstruct our nation the way we want it. We must all engage in this process as one: those who stayed in Timor, those who have lived in other countries and returned, activists, academics, students, professionals, old and young, women and men, we must all work together, listen to each other's varied experience and opinions and then decide what is best for our country and our people. We must join with the international people here today to rebuild our future: our people deserve this from us.

For twenty-five years we have fought for today, for our independence. Our FALINTIL fighters have fought so that we could sit here today and have a chance to plan our future. Our new fighters will be those of you here today with the technical skills to plan our new policies in: Economy, Health, Education, Governance, Infrastructure, Communications, Security, Legal Systems, Natural Resources and Transition. You will need to fight in a new way so that our people who have suffered so much will be cared for by our new government.

We all have the right to determine our own future. This forum is one that can determine ours: as the conference title states: *'Hamutuk Hari'i Timor'*.

Introduction

This document is the result of a conference titled *'Hamutuk Hari'i Timor'*, 'Reconstructing East Timor', which was auspiced by the National Council of Timorese Resistance (CNRT) and took place between Tuesday 30th May and Friday 2nd June 2000 at Tibar in East Timor. This working Conference developed the following collection of Strategic Goals and Policy Recommendations through Plenary sessions and specialised workshops. This collection provides the basis of a Strategic Development Plan: a blue print for the future development of East Timor. This task and reassessment of priorities was urgently required after the horrors our country experienced last year and still struggles to come to terms with. It is the intention to take this plan to the CNRT Congress in August 2000 where the participants will consider it.

Approximately 400 people attended the conference, 250 East Timorese participants, most living in East Timor and some also from the diaspora, and 150 international observers, including many staff members of UNTAET. While this number was larger than the Steering Committee had hoped for the high level of participation and input substantially increased the quality of the outcomes.

The conference was opened on Tuesday by the President of CNRT Xanana Gusmao and addressed by Vice President of CNRT, Dr. Jose Ramos-Horta, Fr. Jose Antonio representing the Catholic Church and Mr. Peter Galbraith of UNTAET. On this opening day a panel of East Timorese leaders also outlined their visions for the future. An International Panel convened on the second day and described their role in the future of our country to a full Plenary.

Workshops took place on Wednesday and Thursday in ten specialised Sectors and representatives reported back to a full Plenary on Friday. Reports were made in the ten key sectors of:

- Governance
- Legal Systems
- Economy
- Communications
- Infrastructure
- Health
- Education
- National Security
- Natural Resources
- Political Transition

Many participants felt constrained by time and resources and felt further investigation and development of their specific areas is still required. Conference organizers too felt time and resource constraints. In the spirit of the conference title, 'Reconstructing East Timor', even the Tibar venue needed substantial reconstruction. The organizing of the Conference in some ways symbolized the challenges of the current conditions in East Timor. Yet organizing a national conference under these challenging conditions provided many of those involved with a wonderful learning opportunity.

At the conclusion of Sector reports Mr Sergio Vieira de Mello, Special Representative of the Secretary General of the UN, and President Xanana Gusmao gave closing addresses to the conference. Their closing remarks are to be found at the end of this document.

The success and outcomes of the Tibar Conference demonstrates to the international community that the people of East Timor, even in the most difficult circumstances, during the emergency period and beyond, are ready to undertake the work of their nation building in a responsible, prudent and inclusive manner. The people of East Timor have shown that they are more than ready to undertake this great challenge and hope this can be achieved with the help of the international community.

Context

The National Council of Timorese Resistance (CNRT) was formed at a National Convention in Peniche, Portugal in April 1998 and Mr. Xanana Gusmao was elected President. East Timor's Magna Carta was acclaimed at the same time. In August of that year a CNRT meeting of East Timorese professionals was held in Algarve and this group began the process of developing a comprehensive set of policies for East Timor. In April 1999 this process was greatly enhanced by a CNRT auspiced "Strategic Development Planning for East Timor Conference" which was held in Melbourne, Australia.

Approximately 300 people attended the Melbourne Conference, a range of professionals from different backgrounds and organizations. They were mostly East Timorese people who had traveled from Timor, Indonesia, Australia and other places who were joined by international resource people. The final Melbourne Conference Report defined a plan for an immediate transition period but more importantly long-term visions, goals and strategies across six specific Sectors.

Many participants at the Melbourne conference envisaged being able to take over existing structures and resources in East Timor but this sadly has not occurred. Conditions in East Timor are now radically different and the outcomes of the Melbourne Conference needed to be reviewed in light of current conditions and also to include many new ideas and information formulated since that time. The Tibar Conference extended the number of sectors, instead of the original six, nine sectors were decided upon and UNTAET requested that Transition be added as a tenth workshop. Reports from these ten Sector workshops follow.

Incorporating Gender

These recommendations for incorporating gender issues were made at the Melbourne Conference in 1999. As no specific workshop on gender occurred at the Tibar Conference we include them here again. This is an often forgotten perspective but an important one to include in this report.

1. Gender Main Streaming

Main streaming gender analysis must occur at all levels, from project/program conception through to monitoring and evaluation. A comprehensive action plan setting out how policies should be implemented, including objectives, timetables, and targets must be developed.

2. Gender awareness

Measures must be established to support changes in attitudes, structures and mechanisms at political, legal, ecclesiastical, community and household level in order to reduce gender based inequalities and promote political power sharing and equal access to and control over economic resources and social development opportunities. I.E. gender awareness programs, public education campaigns, training, and gender sensitive school curricula.

3. Programs of Positive Action

Comprehensive programs to redress the current bias against women must be established. These must foster and encourage women's participation in all aspects of local and national decision making to improve:

- Education and training opportunities;
- Access to appropriate, affordable general, reproductive and sexual health;
- Productive employment with guaranteed rights;
- Land reform guaranteeing women's property rights; and
- Support for public education campaigns against violence against women

4. Institution Building

Development programs must encourage and support institution building of independent women's organisations and networks. This will ensure that, as members of civil society, they can build their individual and collective capacity to participate on a basis of parity with men, in all aspects of decision-making and can monitor respect for human rights. Particular emphasis should be placed on channeling resources to organisations and programs, which are working to improve women's participation in political decision making structures.

5. Political Reconstruction

Civic education programs for women on their rights and responsibilities, their mobilization in and candidature in elections, their access to and representation in democratic institutions and access to and representation in decision-making must be undertaken.

6. Implementation of Policy

Comprehensive plans must accompany all projects/programs, detailing the steps to be undertaken to ensure the implementation of gender policy.

7. Participatory Appraisal and Evaluation

Systematic methods of participatory appraisal, assessment, monitoring and evaluation, which ensure the active participation of women and men, must be established from program conception.

The East Timor Women's Congress was held in Dili, East Timor from 14-17 June, 2000. It also made firm recommendations by sector, and a summary of these recommendations can be found in the final chapter of this document.

Governance (Civil Service, Social Welfare, Labor Issues, Emergency Services)

Context

The future development of East Timor *(Timor Lorosae)* depends on how the new government of *Timor Lorosae* is designed and structured, and on the extent to which the East Timorese people are involved in the development process that affects their lives. There is now increasing recognition that sustainable development can only be ensured as part of the decolonisation process if people are involved in the decision making process. This means that every effort must be made to guarantee a voice for the East Timorese when decisions concerning development are made. Such a participatory process will also build confidence and promote peace in East Timor.

Our vision is based on the fundamental principle of a free, peaceful and democratic East Timor where all citizens are equal before the law, where all people have equal opportunity to participate in and contribute to all aspects of development of our society, and where we live together in peace. As such, good governance in East Timor should be based on a public administration committed to justice, liberty, equality, efficiency and peace. Its purpose should be to satisfy economic needs and to induce the personal contentment and enrichment of all East Timorese. The need for effective, efficient and democratic government as a vehicle for development and national integration in East Timor is imperative. Therefore, it is the right time to construct our government and public administration promoting a rational, effective and efficient one, which should be responsible and accountable to all citizens.

A philosophical foundation that the government of *Timor Lorosae* should adopt is that of the devolution of political and administrative powers from the center to the periphery, leading to social and democratic participation in decision-making. Democracy denotes a political system in which the eligible people participate actively not only in determining the kind of people that govern them, but also in shaping the policy output of the government. This leads to the importance of increasing public input into the running and direction of public services. Therefore, ensuring a free and independent media in East Timor is a *condition sine qua non* for a true democracy.

Civil society organisations representing all sectors of the community, which are independent of the state and the corporate sector must be encouraged to debate and suggest policies and involve actively in the process of decision-making, implementation and evaluation.

Vision Statement

The government of *Timor Lorosae* should be a democratic, efficient and responsible government, committed to Constitutional rule, and administrative reform leading to social and democratic participation in decision-making.

Mission Statement

The mission of the government of *Timor Lorosae* should be:

A. To provide services and be responsive to the needs of people

B. To work towards the welfare of all citizens

C. To strengthen an active civil society

D. To work towards sustainable development goals

E. To pursue the fulfillment of five sets of rights:

    i. civil rights
    ii. political rights
    iii. economic rights
    iv. social rights and
    v. cultural rights

Values Statement

In fulfilling its mission the Government of *Timor Lorosae* above all else should value:

- **Equity**: A commitment to provide all people the same access to and quality of services and the right to take part in decision-making in the public domain regardless of age, gender, religion, race, beliefs, place of residence or physical or mental condition.
- **Freedom of Expression**: A commitment to protect freedom of speech, freedom of press and freedom of association within the law.
- **Integrity**: A commitment to be responsive, transparent and accountable to all citizens.

Strategic Goals & Policy Recommendations

Form of Government

1. To develop democratic institutions

vi. Define and establish democratic institutions of sovereignty (*orgaos de soberania*), namely the National Parliament (Upper and Lower Houses), the President, the Executive Council and the Judiciary

F. Formulate regulations for the registration of political parties

G. Establish an Electoral Commission

H. Provide education and training on democracy

I. Disseminate information on democracy to all citizens

2. To decentralize power

A. Establish a Decentralizing Authority to focus on decentralizing power and the administrative system

B. Define Power for different levels of government

C. Devise funding arrangements within levels of government

3. To develop institutions to monitor human rights and integrity

A. Establish an Anti-Corruption Body

B. Establish an Ombudsman office

C. Establish a National Human Rights Commission

Discussion at Tibar Conference on Governance

Two papers were presented and discussed at the workshop:

- The Form of the Country, The Model and the System of the Government of Timor Lorosae by Antonio Bianco.
- East Timor Towards a Small, Democratic, Effective and Efficient Government by Joao Cancio Freitas.

"The Form of the Country, The Model and the System of the Government of Timor Lorosae"

This paper was presented by Antonio Bianco from CNRT's Internal Administration Section. It recommends:

- A Presidential system should be applied in an independent East Timor, in which the President is the head of state and also the head of government.
- A separation of powers between legislative, executive and judicial.
- A bicameral system for the National Parliament.
- Provincial Governments will act as provincial administrations.

- The whole structure be comprised of four to five tiers namely:
  - a) The central government with its distinctive institutions: The executive led by the President, the legislature (Parliament with two houses), and the Judiciary.
  - b) Thirteen district governments each have their own local unicameral parliament
  - c) Three provincial governments with only coordinative functions (no parliament)
  - d) Sub-district governments with coordinative functions like the provincial government
  - e) Village governments at most local level.
  - f) A small number of public employees but a comprehensive structure.

"East Timor – Towards A Small, Democratic, Effective and Efficient Government"

Joao Cancio Freitas, a PhD Student in Government and Business Management at Victoria University, Australia, presented the second paper. It recommends

- A semi-presidential system in which the President and Prime Minister work together.
- The President is the head of state primarily concerned with the long-term interests of the country leaving the everyday running of the country to the Prime Minister
- The Prime Minister is in charge of the day-to-day affairs of the country.
- National Parliament will have a bicameral system including: the upper house representing the regions or provinces and the lower house representing the people. While the main responsibility of the latter is to enact laws, the former is to operate as a house of review.
- A fundamental review and re-design of the inherited government structure towards a more simple, small but democratic structure is required. Decentralization and political devolution to lower levels is required enabling citizens to participate more actively in taking part in political decisions affecting their lives.
- Three tiers of government:
  - a) The central government
  - b) The provincial government (three Provinces, one Capital City classified as a Province and a Special Region for Oecussi). Each Province and Capital City will have a small Provincial Assembly and an executive body led by a Governor.
  - c) The third tier is comprised of two components: the City Councils for all existing district capitals, and Local Community Councils for the existing sub-districts or representing at least three neighboring villages.
- Ministries and Departments should be limited BETWEEN six to eight but not more than ten.
- Professional management of the Public Service was also proposed
  - a) Separation of policy making from service delivery
  - b) Employment contract system for public employees and
  - c) Changing the government culture from input-oriented to output or result oriented.

The author argues that the transition to independence offers a window of opportunity for change and reform of the culture and the mentality of people. The author argues that People should be transformed from being merely subjects into citizens who are part of self-governing process that reflect the real meaning of "ukun-rasik-an" (self-determination).

Task Force Recommendation

Given the time constraints and limited participation of most of the potential stakeholders, a Task Force was proposed comprised of East Timorese academics, practitioners and professionals in the field with the help of some international experts. The main responsibility of the Task Force would be to conduct intensive research into the options, discuss and consult with appropriate forums and make recommendations to the policy makers.

Strategic Goals & Policy recommendations continued

Social Welfare

4. To provide welfare services with focus on the disadvantaged
    - A. Create a database of potential recipients
    - B. Train personnel involved in welfare services
    - C. Formulate policy on welfare services
5. To provide services for veterans
    - A. Set up a database on the veterans
    - B. Formulate legislation for veterans
    - C. Assist demobilization and provide training for veterans
6. To promote gender awareness
    - A. Institutionalize gender awareness, orientation and training
    - B. Promote institution building on gender awareness
    - C. Incorporate gender awareness into school curricula

Key Recommendations

We recommend that task forces be created to continue the discussion and decision making processes. The purpose of these task forces is to undertake further research into the restructuring of the government, public administration efficiency, social welfare, labor issues, emergency services and gender.

Associated World Bank Programs

The World Bank and East Timorese counterparts have developed this program in the Governance Sector.

Community Empowerment and Local Government Program

Grant Amount Source

US $21.5m over 2.5 years, US $7million initial grant agreement for disbursements until August/September 2000---World Bank Asian Development Bank, Government of Japan through World Bank Post Conflict Fund.

Block grants to communities for infrastructure or economic activities (86% of budget); support to Timorese NGO's (5%)

Objectives

To build equitable, accountable, transparent and participatory local governance structures through which communities can work to rehabilitate basic economic infrastructure and restart economic activities.

Status

- Socialization completed with collaboration from CNRT and civil society.
- Initial grant agreement signed on 21/2/00
- 75 facilitators trained, fielded in 9 districts
- US $1million disbursed
- 12 district accountants trained and employed
- Advisory Board nominated for cultural heritage component.
- Technical Support Team contract awarded to Timorese NGO's

Papers

BIANCO, Antonio CNRT Secção Administração Internal	Bentuk negara, bentuk pemerintan dan sistem permerintahan negara [*Tipo de Nacao Forma Governamental e Sistema de Governo de Timor-Leste Lorosae* The Form of the Country, The Model and the System of the Government of Timor Lorosae]	*Bahasa Indonesia*
FREITAS, João Cancio	East Timor: Towards a small, democratic, effective and efficient government	*English* *Bahasa Indonesia*

LEGAL SECTOR (Including Constitution, Human Rights & Reconciliation, Gender Equality, Land Rights)

Context

In analyzing the progress of our sector minor amendments were made to the Vision and Mission Statement, as previously agreed upon at the CNRT 'Strategic Development Planning for East Timor Conference' held in Melbourne last year. All agreed that we did not have enough time to thoroughly analyze and develop this document further, nevertheless we made the following amendments.

Although generally most strategic goals were agreed upon, there were some minor changes. With specific reference to the first strategic goal - our sector endorsed the establishment of an independent judiciary system, to provide justice and maintain law and order for all citizens. And further highlighted the importance of establishing a Judicial system consisting of Civil and Criminal Courts, Land and Property Tribunals and Statutory bodies. We also highlighted the importance of setting up a court system of appeal.

Given the atrocities which took place in East Timor since the Melbourne conference an important goal is to ensure that justice is achieved in relation to crimes against humanity, through local and international tribunals. As previously recommended in Melbourne, the establishment of a Commission for Peace and Reconciliation in East Timor is still relevant.

In considering the war torn destruction in September, and UNTAETs involvement up to now, some amendments were made to the existing document. But also highlighted are existing problems currently experiencing within UNTAETs administration and recommendations made to improve the current legal system.

Vision Statement

Our vision is to have an independent judiciary, which reflects the separation of powers and abides by the rule of law, which respects and safeguards international human rights.

Mission Statement

The mission of the legal and judicial systems of Timor Lorosae should be:

- To provide a just and non-discriminative, independent judiciary
- To safeguard fundamental human rights which enshrines individuals' liberty, dignity and equality.

Values Statement

In fulfilling its mission, the legal and judicial system of Timor Lorosae should value:

- **Equality** before the law: A commitment to guarantee that every individual in society is equal before the law, with the right to equal protection and equal benefit from the law without discrimination on any group.
- **Equal access**: A commitment to guarantee the right of all citizens to equal access to justice.
- **Justice, Due Process and Fairness**: A Commitment to provide a system of justice which affords natural justice and due process to all, administration and procedural fairness, and freedom from arbitrary arrest and detention.
- **The Universal Declaration of Human Rights**: A commitment to implement and preserve the Universal Declaration of Human Rights adopted by the United Nations in 1948 as the paramount guiding light of the legal and judicial systems in Timor Lorosae.
- **Cultural Tradition**: A commitment to promote Timor Lorosae's legal traditions, culture and values as appropriate.

Strategic Goals and Policy Recommendations

1. Establish an independent judiciary system, to provide justice and maintain law and order for all citizens
    - A. Establish a Court system, including a Court system of appeal
    - B. Establish an independent judiciary consisting of Civil and Criminal Courts, Land and Property Tribunals and Statutory bodies.
    - C. Establish judicial institutions such as Attorney General, Judges, Public Prosecutors, Public Defenders, Legal Professions, etc
2. Staff the legal/judicial system with competent personnel towards the formation of a competent and independent judiciary in Timor Leste
    - A. Establish a Judicial Service Commission (JSC) comprising legal professionals
    - B. Recommend candidates for appointment to the responsible minister in the government. Appointment to be a mere formality.
    - C. Appoint East Timorese legal professionals and to include mentors (experienced lawyers/judges from overseas as consultant or advisers) in this process
3. Provide adequate knowledge and skills for the personnel towards a competent and independent judiciary
    - A. Provide training for Judges, Lawyers and Civil Police forces
    - B. Set up a Legal Academy (University/Law School) and Judges Training School or Department
    - C. Establish institutions for the adequate training of legal professionals and judges and to conduct research
4. Incorporate Customary Law to maintain the continuity of the existing traditional/customary law values as appropriate
    - A. Revitalize customary law, traditional councils of customary law such as Lia Na'in Dato or Mayor at the village levels.
    - B. Establish a traditional advisory council as one of the high state institutions.
    - C. Traditional Advisers to be used in the Judiciary
5. Protect property rights of the local community under customary law and to ensure they have the right to be consulted.
    - A. Enact law to safe guard and protect customer rights
    - B. Obtain their consent for explorations affecting their land
6. Establish a legal consortium to research into the existing law used in the villages
    - A. Form a legal consortium or Law Reform Committee
    - B. Recommend appropriate laws to be enacted and implemented in the formal system
7. Promote Women's rights
    - A. Gender-sensitize legal documents
    - B. Acknowledge and recognise women's rights and ensure the protection of women
8. Initiate National Reconciliation to achieve peace, stability and the active participation of all components of the society in the reconstruction of the country
    - A. Establish a Commission for Peace and Reconciliation in Timor Lorosae
    - B. Work with Catholic Church and other religious leaders towards peace, reconciliation and stability in East Timor

C. Examine the examples of the South African Truth and Reconciliation Commission and the Guatemalan Truth Commission

9. Prepare arrangements to guarantee a smooth transition period to allow time for the implementation of a new national legal/judicial system

A. Maintain Indonesian law temporarily except where it causes injustice or oppression, in which case substitute with Portuguese law

B. Create a temporary mechanism to guarantee due process of law

C. Adopt a legal system with minimum disruption and with cost effectiveness which permits the creation of our own judicial system

D. Implement Alternative Dispute Resolution (ADR) in emergency periods, to provide a social cohesive method of resolving disputes, which does not require the expense, and formality of existing courts.

E. Set-up Arbitration Court in Dili to deal with commercial matters

F. Use existing local conciliators and mediator/facilitators such as Lia Na'in in different regions to decide non-criminal disputes.

G. Utilize local lawyers to formally set up a body of lawyers who will assume positions in Manatuto, Ermera, Baucau, Dili and Maliana, each of which will consist of four lawyers

10. Initiate prosecutions of un-prosecuted crimes during the Indonesian occupation including incidents that took place in 1999, to provide justice, amend grievances and work towards reconciliation

A. Establish an office of un-prosecuted crimes to accept complaints, investigate and if appropriate instigate prosecutions.

11. Draft an interim Constitutional framework which embodies the people's aspirations to guarantee a smooth transition period

A. Establish a special convention representing all social and political groups to appoint a commission comprised by legal professionals

B. Grant this commission the task of drafting an Interim Constitution for consideration and approval

Current Recommendations

In analysing the progress of the Legal Sector the following concerns were raised in relation to the existing system;

- Lack of consultation and transparency in the drafting of legislation
- The National Consultative Council (NCC) is presently not working effectively
- There is little if any participation of technical professionals, particularly with East Timorese lawyers in the drafting legislation
- In relation to the NCC meetings it discourages the participation of the majority of the East Timorese Legal profession as documents provided and discussions are in either Portuguese or English. It must be acknowledged that most East Timorese lawyers and local judicial staff speak Bahasa-Indonesian.
- There is also an absence of lawyers to work in the private sector
- Lack of understanding by CIVPOL officers of Indonesian Law/criminal procedures. E.g. Powers of arrest/issue warrants
- Lack of resources within the Judicial Affairs – this is clearly evident not enough funds has been filtered down to the Dili Court
- There is a lack of independence between prosecutors/Defence lawyers/ and Judges at this present time as they are in the same building sharing the same resources
- It was also noted that salaries for the local court staff including prosecutors and judges are quite low – highlighted concerns for the potential of establishing a corrupt system

- It is viewed that there is an absence of law and order – vigilante acts are increasing, as people are becoming more frustrated given the lack of action and no visible action against perpetrators. We are creating a culture of impunity – establishing bad precedents. There is an increasing backlog of cases yet to be dealt with in Court.
- Vigilante acts by members of CNRT and other local groups
- Problems with translations and interpreting, particularly legal jargon. Message is often lost if not interpreted correctly..
- Offenders previously convicted and sentenced or had cases pending during the Indonesian occupation are still at large. They fled East Timor in September after the announcement of the referendum and to this date there is no system or plan of action to address this problem. Many offenders have returned and are experiencing difficulties in their communities.
- There is slow progress in creating a functional Court
- Nothing set up to deal with minors/children and family related problems.

The following recommendations have been made:

- UNTAET must develop guidelines and protocols to facilitate consultation with East Timorese (e.g. NGOs, East Timorese lawyers) in relation to policy and regulations;
- Ensure the participation of women and youth in various processes;
- CNRT to review National Consultative Council (NCC), and recruit qualified people with relevant expertise for these positions. The recruitment process needs to be transparent;
- Involve East Timorese lawyers/legal professionals to participate in NCC meetings;
- Provide documents at NCC meetings in Bahasa Indonesia. Meetings at NCC should also cater for those who do not speak English or Portuguese;
- Provide training for court personnel and interpreters (capacity building) and establish a pool of skilled translators able to speak various dialects;
- Provide community based para-legal training within the structures;
- Empower the local community through education and dissemination of information;
- Sharing human resources (experts) among UNTAET and East Timorese;
- Develop, through consultation the appropriate mechanisms to resolve land conflict (E.g. mediation)
- Legislation/Regulations need to be developed as soon as possible in the following areas:
    - a) Penal Law
    - b) Penal Code Procedures
    - c) Land and Property Law
    - d) Labor Law
    - e) Commerce / Investment Law
    - f) Environment / Mining Law
    - g) Immigration Law
    - h) Anti-corruption / Fraud Laws
    - i) Consumer Law
    - j) Political Parties
- UNTAET must clarify any laws/rules that apply/do not apply to UN and other international staff
- UNTAET must endeavor to obtain criminal records from the Indonesian government in order to register all offenders and their crime and ensure action be taken.

- CNRT must revisit and reaffirm their commitment in relation to the Magna Carta – which was adopted during the convention in Lisbon in 1998.
- UNTAET should utilize the Magna Carta as a point of reference when drafting regulations
- UNTAET must provide compulsory training to CIVPOL in relation to Indonesian law and East Timorese culture
- UNTAET must invest resources in the judicial system and improve salaries of local Judicial staff
- UNTAET must provide separate office accommodation to prosecutors, public defence lawyers and judges in order to maintain their independence
- Given the shortage of East Timorese lawyers with Indonesian language skills, consideration should be given to appropriate Indonesian human rights lawyers
- Minor offences must be dealt with promptly and other alternative customary laws be applied and enforced in these situations.
- CNRT to take responsibility for unlawful actions by its members and bring the perpetrators to justice by obeying the legal structures established in East Timor.
- To establish a constitutional working committee to:
    a) drafting a constitution
    b) establish a system of full consultation and participation
    c) comprise elected members from CNRT congress
- Importantly establish a working group/sectorial committee to further analyze and follow up the recommendations made during this conference

Conclusion for Post-Transition

A committee to review existing laws should be established by UNTAET.

In conclusion we view that this report will need to be improved and elaborated further, particularly in relation to the judicial structure. We recommend the importance of including lawyers and others experienced in this field, to participate in improving this working document.

The participation of East Timorese in the drafting of legislation now, during the transitional period, is a necessity as these laws will have long-term consequences. It is crucial that this process includes not only consultation but most importantly participation of the East Timorese. It is noted that the people of East Timor should be leading this process rather than being directed, particularly on legal matters, while acknowledging the assistance and support of the international community.

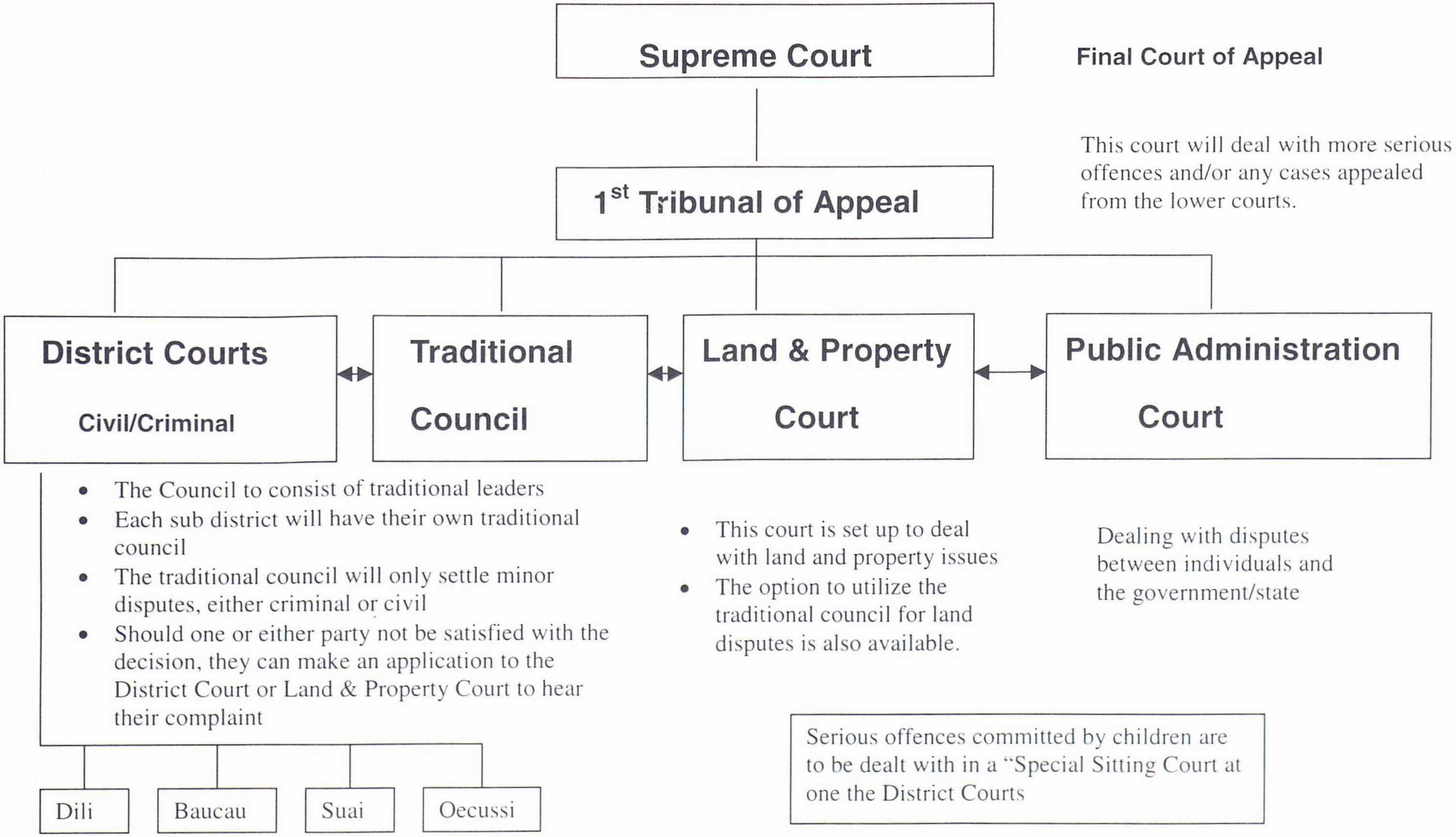
We also acknowledge that in establishing the legal system, we need to develop an inter-sectorial approach and seek input from various different sectors.

Given the above, it is respectfully recommended that the CNRT consider the recommendations provided by the Legal Sector and importantly establish a working group to receive advice and information on legal aspects and further the work already commenced.

Papers

CABRAL, Roberto Soares	Hafoun'an ba Unidade no Reconsiliasaun Nasional [Renew Yourself for National Unity]	*Tetun*
LAIFET: Labor Advocacy Institute of East Timor	Gerakan Buruh Timor Lorosae dan Kesejahteraan Sosial [Movimento dos Operarios de Timor Lorosae e o Bem Estar Social]	*Bahasa Indonesia*
NORONHA, Ana (East Timor Human Rights Center)	Building a Human Rights Culture in East Timor	**English**

Court System in East Timor



Supreme Court

Final Court of Appeal

1st Tribunal of Appeal

This court will deal with more serious offences and/or any cases appealed from the lower courts.

District Courts

Civil/Criminal

Traditional Council

Land & Property Court

Public Administration Court

- The Council to consist of traditional leaders
- Each sub district will have their own traditional council
- The traditional council will only settle minor disputes, either criminal or civil
- Should one or either party not be satisfied with the decision, they can make an application to the District Court or Land & Property Court to hear their complaint

- This court is set up to deal with land and property issues
- The option to utilize the traditional council for land disputes is also available.

Dealing with disputes between individuals and the government/state

Serious offences committed by children are to be dealt with in a "Special Sitting Court at one the District Courts

Dili

Baucau

Suai

Oecussi

Economy (Finance, Banking, Foreign Investment, Private Sector, Tourism, Trade, Micro-credit)

Vision Statement

We envision an independent Timor Lorosae with

1. An economy which serves a free, democratic and prosperous society
2. An open market economy with selective government intervention to ensure equity, transparency and efficiency

Mission Statement

To transform Timor Lorosae's agrarian economy into a more diversified and developed economy.

Strategic Goals, Strategies and Recommended Policies

Currency & Banking

1. Develop currency arrangements towards a stable monetary system

Strategies

A. Enforcement of the legal tender.

B. Investigate and determine the appropriate exchange rate regime (floating, managed or currency board)

Policies

1. Establish mechanisms to mitigate the negative effects of multi-currencies besides the legal tender
2. Introduce USD coinage.
3. Request the Central Payments Office (CPO) to co-ordinate a study of alternative currency and exchange rate regimes for an independent East Timor. This should include a central bank independent from government. The study should be conducted with effective Timorese participation.

2. Develop banking system and structure pursuant to the chosen monetary regime.

Strategies

A. Facilitate the entry and operations of both local and foreign banks

B. Encourage financial institutions to participate in micro credit schemes

C. Pursue different savings strategies.

Policies

1. Establish a development bank with facility of small credits to the small business community.
2. Commercial banks should be responsible for facilitating trade, offering exchange rate, risk management, products for exporters and importers and for large-scale commercial transactions.
3. Micro credits consisting of revolving micro credit schemes based on GRAMEEN bank model of granting very small loans to carry out small-scale business investment, e.g. Working capital requirements.
4. Conduct a comparative study of banking systems in other relevant economies. In this study consider alternatives for incorporating Timorese public and private participation in bank ownership.
5. Review current policy on foreign bank operations to ensure fairness in the banking system (domestic versus foreign requirements)
6. Investigate potential for savings with superannuation funds.

7. CPO to set up information facilities on banking plans.

Public Finance

3. Institutionalize public finance and promote fiscal discipline

4. Achieve self reliant public finance over a realistic time frame

Strategies

- A. Recurrent budget to be financed by local sources and development budget financed by foreign sources.
- B. Intensify and diversify the internal revenue sources.

Policies

1. Raise internal revenue from different sources including selective consumption tax, selective income tax, indirect taxes such as rents, hotels services, utilities (water and electricity)
2. Royalties from Timor Gap
3. Timorisation of the taxation administration
4. Socialization of the introduction of taxes
5. Exempt basic necessities from taxes
6. Review taxation on exports in particular coffee exports
7. Determine priorities for expenditure
8. Develop interactive communication with UNTAET and East Timorese
9. Training of tax administrators for operations, medium to professional levels
10. Research the possibilities of raising revenues through leasing the Timor domain on the Internet.

Foreign Aid

5. To reduce dependency on foreign aid over time.

Strategies

Manage aid towards a favorable balance between grants and soft loans.

Policies

1. Create an independent body within UNTAET to monitor transparency in aid management.
2. Establish a government body to conduct cost/benefit analysis of the social and environmental impact on the community and the long-term recurrent cost of grants and loans.
3. Investigate the monetary management of large capital inflows.
4. Develop compensatory policies to mitigate the effects of the "Dutch" disease on international aid.

Trade and Industry

6. Diversification of the Economy

Strategies

- A. Establish an industrial policy tailored towards diversifying the economy.
- B. Promote trade through commercialization of agriculture.
- C. Develop a set of standards for products.

Policies

1. Develop value added small and medium scale industries specialized in the sectors of tourism, agribusiness, livestock fishery and basic goods.

2. Secure entry to European Community, North American, Australian/ New Zealand, Japanese and/or the trade privileges of membership of the Pacific community.
3. Establish a Commission to categorize essential and other goods and their respective duties.
4. Create a body to control the prices of basic products.
5. Reaffirmation of an open market with the possibility of restrictive markets and state control through joint ventures E.g. BOT, Golden Shares.
6. Develop Free Trade Zones and export mechanisms.
7. Seek classification for East Timor of a Less Developed Country (LDC).
8. Formulate foreign investment regulation focusing on the following
    - Priority sectors
    - Protection of small/medium enterprises
    - Technology transfer
    - Export oriented industries
    - Profit repatriation.

Tourism

7. Develop the Tourism Industry as one of the major industries in East Timor

Strategies

A. Promote tourism industry plan and regulation.

B. Develop eco tourism resources and infrastructure.

C. Only support tourism projects that directly benefit the community.

Policies

1. Develop a comprehensive tourism plan with a principle of sustainability and protection of cultural and natural resources. The plan should be based on a detailed inventory of resources, identification of their values and expectations of degradation through tourism use.
2. Prepare and impalement programs to raise community skills.
3. Build tourism infrastructures to facilitate the development of tourism.
4. Prepare tourism strategy for the next 5 years.
5. Undertake a preliminary SWOT analysis of East Timorese tourism potential.
6. Memberships of Pacific Asia Tourism Association (PATA) and World Tourism Organization (WTO).

Associated World Bank Programs

The World Bank and East Timorese counterparts have developed the following programs associated with the Economy Sector.

Dili Community Employment Project

Grant Amount Source:

US$400,000 over 6 months. Source: World Bank and UNDP

Objectives

To provide short-term employment and income opportunities for poor, unskilled Timorese while improving the local environment.

Status

The first five Dili communities have been selected and mobilized, transfer sites have been prepared and small tools have been procured.

US$200,000 disbursed

Small Enterprise Project

Grant Amount/Source:

US$10 million over 2 years. US$4.8 million in first grant agreement. Source: World Bank

Objectives

To help restart economic activities in the private sector as soon as possible, and set a Trust Fund that will be available for the future Government of East Timor.

Status

1. Grant Agreement signed on 11/4/00.
2. Loans range from US$500 to US50, 000 to Timorese individuals or groups with viable business plans.
3. BNU project facilitation and information dissemination began in early April
4. Applications totaling some US$30 million are being screened
5. First loans awarded on 24 April. Loans started to disburse early May2000

Capacity Building for economic institutions and support for budget preparation

Grant Amount/Source

US$2-3million. Source: World Bank and Asian Development Bank

Objectives

To strengthen capability of Timorese for economic management, with particular reference to Ministry of Finance functions.

Status

1. Senior economic and procurement advisors provided to Central Fiscal Authority and Central Procurement Authority program for technical assistance and training under discussion with UNTAET, IMF and Timorese counterparts.
2. Preparation for the June 2000 budget began early April

3. Agreement on terms of reference of support program and grant agreement completed in April.

Papers

	Pernan bank dalam penbangunan di Timor Lorosae [O Papel do Banco no Desenvolvimento de Timor Lorosae, Development of banking in Timor Lorosae]	*Bahasa Indonesia*
ALFARO, Julio	O Papel da Classe Empresanal Timorense no processo reconstrucao nacional	*Portuguese*
BRAZ, Jose and SALDANHA, João Mariano	Currency and exchange in East Timor: Analysis and preliminary proposals	*English*
COSTA, Dr Lucas da	Investimentos estrangeiros em Timor-Leste. Benefícios e custos	*Portuguese*
GUTERRES, Francisco da Costa	O Papel dos Servicos de Impost no Processo Desenvolvimento de Timor-Lorosae [Tax and Development Process in East Timor]	*Portuguese*
MORRIS, Elizabeth (International Labor Organisation)	Employment Strategy for East Timor	*English*
SALDANHA, João Mariano	Fiscal issues for a small, war- torn Timor Lorosae	*English*
SALDANHA, João Mariano	The transition of a small, war-torn economy into a new nation: Economic Reconstruction of East Timor	*English*
XIMENES, Vicente and CARTER, Bill	Environmental protection and tourism	*English*

Communications

Vision

To provide citizens of East Timor with current information, which will assist, people to have informed opinions, in order to effectively participate in all sectors of civil society. The mass media in East Timor should value freedom of expression, be informative, educational, professional and promote East Timor's culture and traditional values.

Mission Statement

To create a free, and responsible media in East Timor, philosophically independent of government and political parties.

Values Statement

In fulfilling its mission the Mass Media should above all else value:

- Freedom of expression: a commitment to protect freedom of speech, freedom of press and freedom of association within the law;
- Cultural Sensitivity: a commitment to be sensitive to cultural values and traditions;
- Integrity: a commitment to be responsive, transparent, and accountable to all citizens.

Strategic Goals

Promote and ensure a free and independent media

A. Establish the Timorese Broadcasting Authority (TBA)

B. Acquire suitable equipment for radio stations, TV stations and print media.

C. Include relevant articles in the Constitution to protect independent and free media

D. Provide training for media personnel

E. Involvement of the East Timorese media group (Journalist Association and Union) in the planning and implementation of government policies in the area of media and broadcasting.

F. UNTAET/East Timor Government to establish broadcasting regulations in consultation with the Timorese Broadcasting Authority (TBA).

Key Recommendations

1. Provide expert media training to reflect the diverse culture and traditions of East Timorese society.
2. Establish and maintain media outlets in each district.
3. Provide resources for East Timorese media.

Papers

AMARAL, Ovidio de Jesus Seccao da Telecomminicacao Sub-Seccao Planeamento e Programacao	Seccao da Telecommunicacao	*Portuguese*
BERNADINO, Raul	East Timor Information and Telecommunication Technology (ETIT)	*English*

Infrastructure Sector (water, transport, ports, sanitation, energy, telecommunications, urban planning)

Context

We must have in place the infrastructure we need and use it efficiently if we are to achieve the living standards to which we aspire. There is a growing recognition of the link between infrastructure investment and sustainable long-term economic growth. As such, for a prosperous future of *Timor Lorosae*, we need to set in place a strategy for infrastructure development to support and drive our economic growth.

Vision Statement

A healthy environment and a better quality of life in East Timor.

Mission Statements

The mission of the government of East Timor should be:

1. To involve and thus empower the community in the decision-making, planning, design and implementation of Infrastructure projects
2. To ensure infrastructure projects are culturally and ecologically appropriate

Strategic Goals and Policy Recommendations

1. Provide a sustainable supply of clean water

A. Improve accessibility to clean water up to 60% of the population of East Timor in the first 10 years.

- Regulate and recover costs from users

High Priority – rehabilitation of existing system

B. Develop an organisation capable of maintaining system.

- Develop human resources.
- Recover costs from users.
- Legislation and regulation to protect assets.
- Education to the general public

Medium Priority – maintenance of system

C. Expand the system

- Find financial resources.
- Public consultation.
- Explore the prospect of recycling rainwater, storm water and gray and black water

Low Priority – construct/expand system

2. Develop a sustainable provision of irrigation water to support the development of agriculture

A. Improve the operation and maintenance of irrigation systems.

- Develop human resources.
- Encourage community awareness and management of irrigation systems

High Priority.

B. Extend the irrigation systems to support agricultural development and to support the development of dry-land farming, in order to create self-sufficiency of food production in East Timor.

- Involve contribution by users.
- Promote water conservation.
- Control of catchments activities
- Explore water recycling for irrigation

Medium Priority

3. Develop waste management programs

A. Develop solid and liquid waste disposal facilities to support a sustainable, safe environment.

- Education of the general public
- Develop East Timor's standard regulations and protocols for waste management.
- Meet the ISO 14000, the international environmental standard.

High Priority

B. Introduce recycling programs to minimize waste.

- By legislation and regulation
- Education of the general public

High Priority

C. Protect surface and underground water, and the marine environment.

- Encourage/facilitate use of appropriate liquid waste disposal.
- Education of the public.
- Regulation.

High Priority

D. Encourage waste reduction and develop programs for community awareness.

- Education of the general public.
- Regulation

Medium Priority

4. Develop the telecommunications industry.

A. Produce Telecommunications legislation and regulations. In co-operation with CITI (UNTAET- GPA) East Timorese engineers/professionals to actively participate in implementation of strategies

High Priority

B. Establish effective communications in two parts

- Limited voice and Information Technology to all districts using satellite, broadcast (radio)
- Full facilities to all districts

Medium Priority 1

C. Training of local staff in each part: either East Timorese or operating company ownership.

Medium Priority 2

D. Prepare international tender to provide full facilities to all districts

Medium Priority 3

E. Investigate the possibility of East Timor mobile services with local numbering Low Priority

5. Provide sustainable supply of energy.

vii. Repair and rehabilitate existing system.

- Establish rules and regulation to promote efficient use of energy.
- Promote and develop the use of hydro-electronic energy.
- Develop appropriate transportation and storage of energy.
- Establish and develop proper training for technical staff.
- Encourage energy efficient housing and construction to help reduce overall energy consumption.

High Priority

F. Develop an organisation capable of maintaining system.

- Develop human resources.
- Recover costs from users.
- Legislation and regulation to protect assets.
- Education to the general public.

High Priority

G. Development and expansion of electrical system. Research and develop alternative energy source e.g. solar and wind energies to meet the energy needs of all East Timorese while keeping a clean environment and reducing long term energy costs

High Priority

6. Develop efficient sea transportation systems both public and private

A. Provide continual improvement of port infrastructure prioritized as follows:

- Dili: Develop and rehabilitate warehouses, electricity, container storage, sewage, and buildings.
- Hera/Caravela: Establish harbor for military base.
- Oecussi: Develop and rehabilitate warehouses, electricity, container storage, sewage, and buildings
- Suai/Betano/Beaco: Develop as appropriate

B. Initiate and reach international agreements on sea transportation routes.

C. Conduct transport feasibility studies.

D. Develop regulations/standards for marine transportation

E. Install communication "Inmarast" for shipping.

F. Develop and enforce harbor tariffs.

7. Develop efficient land transportation systems both public and private

A. Investigate the formation of national and regional levels of a Road and Traffic Authority

B. Improve road engineering skills

- Develop human resources.
- Develop standards of road construction and maintenance

C. Develop an efficient mass transit system.

- Develop system of classification for nationals and regional roads.
- Develop policy of road and traffic regulation
- Establish system of road tolls.
- Improve and maintain existing roads and bridges.

- Regulate and recover costs from users through registration of vehicles.

High Priority for all 13 districts especially: Baucau to Vikeke, Dili to Same and Dili-Ainaro-Suai

8. Establish national air policies

A. Establish a civil aviation authority

- Develop human resources and establish professional development
- Train staff including air-traffic controllers, airport operations, aeronautical information services and meteorologists.
- Regulate and recover costs from users.
- Encourage private sector involvement.

B. Conduct studies and identify available resources, human and material

C. Establish a separate aviation authority for military and political use.

Immediate Priority: Comoro Airport

Future Priority: Baucau Airport to be developed for future potential in the industries of Tourism and transport

Also: Oecussi; Suai; Los Palos; Same

9. Promote land use planning and urban planning

A. Rehabilitate and upgrade existing housing and facilities.

- Create a national institution for urban and rural planning and land development.
- Development of human resources.

High Priority.

B. Create a database on land and housing. Assess current housing stocks damaged in conflict

High Priority.

C. Develop and research alternative and appropriate housing designs and materials, and promote indigenous architecture, forms and materials. Encourage private research and entrepreneurial activities.

Medium Priority.

D. Promote community development and allocate community spaces in cities and towns, e.g. parks, playgrounds etc. Reserve land for community development and community gardens.

Medium Priority.

E. Develop minor urban centers such as Baucau and Suai to help decentralize Dili. Promote private sector development and investment.

Medium Priority.

F. Encourage environmentally sensitive site planning through regulation.

Medium Priority.

G. Encourage sustainable housing, e.g. passive solar design, composting, gray water recycling, rain water collection through regulation.

Medium Priority.

H. Develop land banks for future growth and low-income families:

High Priority.

I. Community involvement in planning: Develop master plan.

High Priority

J. Community involvement in planning: Require community participation in zoning decisions.

High Priority

Associated World Bank Programs

The World Bank and East Timorese counterparts have developed this program in the Infrastructure Sector.

Emergency Infrastructure Program

Grant Amount /Source: US$29.8 million over 2 years. US$7 million in the first grant agreement. Source World Bank

Objectives

To rehabilitate damaged infrastructure- roads, ports and power- while developing a long-term plan for infrastructure development.

Status

1. Grant Agreement signed.
2. Project Management Unit to be in place by end of May 2000.
3. Works contracts to start 1 June 2000.

Papers

GUTERRES, Ir. Francisco, PEREIRA, Ir. Joao Jeronimo, SANTOS, Ir. Candido dos, GONSALVES, Ir. Rui	Program Planeamento Regional e Urbano, Sub-Sektor Perkerjaan Umum Sektor Infrastructura	*Bahasa Indonesia*
PEREIRA, Elyas M.	Report by Rural Water Supply & Sanitation Secretariat (SBSR)	*English*
PITE, Louis	Report on Port Activities	*Portuguese*
Mr Finn Reske-Nielsen, UNDP Representative and UN Development Coordinator	Progress Report on Transitional activities of UNDP on Infrastructure repair (International Panel) 31 May 2000	*English*

Health Sector

Vision Statement

Our vision is for the physical, psychosocial and economic well being of the people of Timor Lorosae. This vision could be attained by a government that abides by the democratic principles of equity, social justice, acceptance of cultural and gender values, community participation and is accountable to the people.

Mission Statements

1. The government of Timor Lorosae should:
    1. Implement a national health care system that is:
    2. Advocate primary health care through a community based health system, where the people themselves meet immediate needs, in an environment that fosters self-reliance.
    3. Guarantee the provision of health services by recovering and reinforcing the services available at village, district, regional and central levels.
    4. Define and regulate the role of all parties (government and non-government) in the national health care system.

Strategic Goals and Policy Recommendations

1. Establish a National Health Authority

Performance Indicator

By the end of year 2000 all national staffs at the Interim Health Authority (IHA) have clearly defined roles and responsibilities

Strategies

A. Legalize the IHA as the only government institution responsible for health - Priority

B. Full integration of the IHA into the UNAET structure at central and district levels

C. Incremental pass-over of responsibilities from international to national staff

D. Implement task oriented on-the-job training programs including short-term training programs abroad for appointed national staff

Policy Recommendation

1. Establish a minimum of obligatory commission-period for contracted international staff
2. Equitable and just share of rights and responsibilities for national and international staffs, including the use of available resources

2. Reconstruct and rehabilitate health care facilities and resources

Performance Indicator

- The whole population to have access to fixed health facilities within 2 hours walk distance.
- Existing fixed health care facilities at all sub-districts by the end of year 2000

Strategies

A. Increase access to 100% population - Priority

B. Explore a study in order to obtain data to ascertain the existing health and resource problems identify needs and explore how external organizations can assist internal development.

C. Implement the required assistance or improvements with the aid of expert advice and community consultation.

D. Lobby the international community for resources.

E. Comparative studies from other countries.

F. Develop strategies to maximize use of existing facilities

G. Define basic package for health services.

Policy Recommendation

The NHS (National Health Service) should take over as soon as possible the provision of health services at all levels of facilities.

3. Promote mother and child health

Performance Indicator

- Reduced mother and child morbidity and mortality rate
- By the end of the year the coverage rate of mother and child related programs should be 80%

Strategies

A. Deploy nurse-midwives in every "suco" - **Priority**

B. Provide training and supervision for integrated management of childhood illness (IMCI) at the Community Health Center (CHC) level - **Priority**

C. Develop community based participatory studies in the knowledge and practices of early childhood development.

D. Create participatory learning programs and practices associated with childbirth for parents on physical, social and cognitive child development.

E. Encourage nurse midwives and Traditional Birth Attendants (TBAs) to follow the development of children ages 0-5 with appropriate follow up within the protocols of the NHS in areas of nutrition, proper weight and the treatment of diarrhea.

F. Implement a program of vaccinations for children 0-5 years through the nurse midwife.

Policy Recommendation

Training as a cornerstone for Mother-Child Health promotion

4. Promote reproductive Health

Performance Indicator

- Falling incidence rates of Sexually Transmitted Diseases (STDs)
- Falling incidence of teenage pregnancies

Strategies

A. Organize sex education in schools, community based and CHC, media in the context of human relationships based on self-esteem and mutual respect - **Priority**

B. Promote at the level of local health centers – programs of early detection, diagnosis and treatment of STDs - **Priority**

C. Conduct consultations with all family planning stakeholders to form family planning policies.

D. Establish program for early detection of breast and cervical cancer.

E. Conduct social research to identify the most effective education program

F. Activate surveillance system for STDs in an integrated system.

Policy Recommendation

Informative and appropriate campaign concerning reproductive health.

5. Reduce mortality and morbidity rate of endemic disease

Performance Indicator

- Falling incident rates of endemic diseases
- Timely response of detection of outbreaks
- Proportion of cases of appropriate treatment

Strategies

A. Promote control and eradication programs for endemic diseases - Priority

B. Develop training for community health workers for each of the diseases endemic to East Timor.

C. Provide health education though media and public awareness campaigns to obtain adequate surveillance and health information.

D. Encourage community participation at all levels of prevention and treatment through health education.

E. Involve the community in defining their own health priorities and encourage them to participate in the decision making process.

F. Encourage the community to obtain the medical supplies they require.

G. Activate an integrated system of endemic diseases surveillance

Policy Recommendation

Involve community in environment sanitation programs

6. Develop an integrated mental health program

Performance Indicator

Falling in prevalence rate of mental disorders.

Strategies

A. Psychosocial counseling - Priority

B. Develop a mental health strategy for East Timor which is culturally sensitive, community based and integrated across all sectors such as education, welfare and judicial.

C. Develop psychosocial rehabilitation and socio-economic reintegration of torture and trauma survivors. (This needs a multi-disciplined, multi-sectorial approach to define a diverse array of programs for each target group.)

D. Establish facilities for severe mentally ill patients.

Policy Recommendation

Identify high-risk groups in need for socio-economic assistance.

7. Establish good mutual cooperative relations with other counterparts

Performance Indicator

Reduce conflict of interests

Strategies

A. Develop joint-working groups for areas of intersection - Priority

B. Establish working guidelines for NGOs and aid organizations and provide them with adequate information - Priority

Policy Recommendation

Formulate a national plan for "attractive" programs

8. Promote environmental sanitation in a multi-sectorial approach

Performance Indicator

- Pollution reduction
- Safe and healthy work and living environment

Strategies

A. Environmental health promotion - Priority

B. Develop water sanitation programs - Priority

C. Develop programs for vector control and eradication - Priority

D. Control sanitation in public places - Priority

E. Promote occupational health and safety - Priority

F. Develop healthy housing environment

Policy Recommendation

Declare Dili as healthy city by the end of year 2000

9. Ensure the control of medicine supply and food safety

Performance Indicator

A minimum of 3 months drug stock should be available all times at contact points

Strategies

A. Provision of medicines and supplies for endemic diseases - Priority

B. Set up a system that will control the drug supply (formulation, registration, distribution and storage).

C. Ensure the formulation registration distribution and storage of drugs and the appropriate training for human resources.

D. Develop a food safety policy

Policy Recommendation

Formulate a national essential drugs list and implement a strict drug control policy

10. Establish a national nutrition program

Performance Indicator

Decreased malnutrition prevalence rate

Strategies

A. Assess country's nutrition status and identify targets for supplementary programs - Priority

B. Identify malnutrition prone groups

C. Implement a national nutrition promotion campaign

Policy Recommendation

Promulgate nutrition promotion as one of the highest priority of the sector

11. Formulate a policy on medical referral for sub-specialist cases

Performance Indicator

Decreased number of patients left without treatment due to shortage of resources to treat them properly

Strategies

A. Upgrade the national hospital with adequate equipment for selected specialist care - Priority

B. Lobby international counterparts for periodic visit of needed specialists

C. Develop a national network and methodology for identification and selection of people in need of specialist care

D. Develop a capacity building program for care of chronic specialist cases

Policy Recommendation

Establish criteria for selection cases for each type of referral: patient and specialist

12. Formulate a human resources development plan

Performance Indicator

Reasonable health workforce

Strategies

A. Capacity strengthening for package of basic services - Priority

B. Register and map existing health professionals

C. Access needs for upgrading training and redefinition of roles for existing professional groups

D. Implement periodic rationally designed upgrading in-country training for existing professionals

E. Encourage and support initiatives for specialist training of national doctors

F. Negotiate with international institutions modular specialists training prioritizing internal medicine, pediatrics, obstetrics, anesthesia, surgery and radiology

G. Encourage and promote establishment of professional societies

H. Establish Ethics Committees of various professional classes

Policy Recommendation

The National Health Authority should be responsible for ensuring the completion of the training of the under-graduated students and the upgrade of health professionals

For new candidates the National Education Authority should be responsible for the management of the training/ educational institutions and the National Health Authority for the curriculum

13. Encourage and promote scientific investigations on traditional medicines

Performance Indicator

Sound, reliable scientific reports on commonly used traditional medicines.

Strategies

A. Assess safety of commonly used traditional medicines - Priority

B. Encourage practice of selected universally accepted non-conventional healing practices such as acupuncture and use of herbal medicine

C. Encourage serious and responsible scientific investigation of national traditional medicines

Policy Recommendation

Investigate safety of commonly used traditional medicines.

Associated World Bank Programs

The World Bank and East Timorese counterparts have developed this program in the Health Sector.

Health Sector Rehabilitation and Development Project

Grant Amount/Source

US$38 million over 3 years with US$ 12.7 million in the first grant agreement

Objectives

To develop health sector strategy that will guide the support of donor, agency, and NGO actions within [illegible] overall health sector framework; that manages both the transition from short-term emergency and long-term sustainable development of Timor's health sector and that builds capacity of Timorese health workers [illegible] long-term.

Project will provide basic health services, develop health policy and systems (supply logistics information research and consultation) invest in human resource development and capacity building and establish management and administrative structures.

Status

1. Negotiations successfully completed.
2. Grant Agreement signed in June 2000.

Papers

International Committee of the Red Cross (ICRC)	ICRC's Activities in East Timor (Situation in May 2000)	*English*
TANG, Kristina - PRADET	Report on Current and Future Programs in the Area of Mental Health implemented by PRADET	*English*
LOBO, Dr. Sergio	Setting up an Integrated Health System in East Timor	*English* *Indonesian*

Education

(Primary, Secondary, Tertiary, Vocational education, Language and Culture)

Conference Outcomes Unresolved

To be added at a later date.

Associated World Bank Programs

The World Bank and East Timorese counterparts have developed this program in the Education Sector.

Education School System Revitalization Program

Grant Amount/Source

US$10 million over 2 years. US$4.8 million in first grant agreement

Objectives

To provide short-term physical reconstruction of schools, and to raise the quality of education in the medium term.

Status

Program components:

1. Having maximum number of schools operational by October 2000.
2. Assuring quality standards are met in new school construction, furniture, teaching and learning materials:
3. Training of principals and school councils, and quality monitoring
4. Information and social mobilization campaign
5. Support for education policy and curriculum development

Negotiations expected in Mid June.

Site surveys for physical work underway.

Papers

SABINO, Mariano	Pemuda Timor Lorosae "Refleksi dan Tantagan" [given as speech as part of Timorese Panel]	*Bahasa Indonesia*
SOARES, Antonio Vicente	Timor moris no mai house lalo'it	*Tetum*

National Security

Vision Statement

To establish necessary mechanisms which are efficient in order to guarantee national security against external and internal threats. These mechanisms should be free from political, religious or other interference and be transparent in their objectives. These mechanisms should be stipulated in the constitution and be responsible and answerable to a democratically elected government.

Defence

The question of defense is still under consideration. Research is taking place into what sort of defense force would be most appropriate for East Timor.

Immigration/Customs

Strategies

A. Establishment of border check points and immigration control (Coordinate with CIVPOL)
B. Development of policy to put an end to people trafficking.
C. Establishment of fully operational land borders and Oecussi enclave.
D. Operation of regular maritime patrols.
E. Establish facilities for import/export control
F. Coordination with postal service.
G. Improvement of infrastructure.
H. Acquisition of surveillance equipment.
I. Training of personnel in immigration/customs/border control.
J. Development and implementation of a controlled customs tax.

Key recommendations

A. Establish a central registry of people entering East Timor.
B. Development of visa system.
C. Development of immigration and import/export regulations.
D. Conduct training.

Police

Strategies

A. Increase recruitment of personnel from 50 to 100
B. Rehabilitation of buildings
C. Develop training for future police officers
D. CIVPOL to incorporate local police in all their activities
E. Establish laboratories to conduct forensic research
F. Specialisation within the police force
G. Logistics

Key recommendations

A. CNRT to study and develop regulations on police services

B. CNRT to identify/determine East Timor civil police status

C. Determine police department logo/badge/insignia

D. Introduce Police Day on 31st May

E. Decide which term to adopt – Timor Leste or Timor Lorosae

F. CIVPOL/UNTAET to establish more police stations in all areas, particularly in the most critical.

Papers

MARTINS, Paulo de Fatima (East Timor State Police)	Laporan Tentang kemojuan Yang Telah Dicapai Dalam Bidang Kepolisia Timor Loro Sae Dan Kegiatan Yang Akan Dilaksanakan [Report on Progress of Police Sector]	*Bahasa Indonesia*
OLIVEIRA, Cancio de Jesus CALDAS, Jose Alves	Formação e Estabelecimentos de Services de Fronteiras Alfandega E. Emigração (Border Service East Timor)	*Português*
OLIVEIRA, Cancio de Jesus CALDAS, Jose Alves (CNRT – Polícia Aduaneira de Timor Leste Polatil)	Proposta de Projecto de Emergenica: Formacao e estabelecimento da Policia Aduaneira de Timor-Leste	*Português*

Mines and Energy Resources (including Timor Gap)

Vision Statement

The expanding potential of mineral resources should be controlled by the Timorese people and used for their prosperity.

The management and use of mineral and energy resources must take environmental considerations into account.

Mission Statement

To consult all sections of society in the development of national legislation for the management of mineral resources. In this way the true aspirations of the nation can be realized.

To develop an institution competent in the management of mineral and energy resources.

Strategic Goals, Strategies and Policy Recommendations

1. To conduct a national survey on minerals and energy sources

A. To carry out geological mapping nationally

- Gather secondary geological information
- Carry out mapping from a regional to detailed scale

B. To produce inventory of energy sources

- Seek expert assistance for advice and training in energy sources
- Conduct feasibility study about alternative energy sources

C. To create a geological information center

- Carry out consultations and coordination with other institutions
- Create digital geological database
- Facilitate Higher Education of East Timorese people in the area of minerals and petroleum

2. Environmentally sustainable economic development

A. To provide resources for the functioning of the mines and energy sources commission which would be the governing body for the management of East Timor mineral and energy sources

- Seek assistance from UNTAET to facilitate the existence of the mines and energy sources commission

B. Use environmentally friendly mining technology

- To carry out comparative studies in mines and energy sources management

C. To ensure efficient and effective mining practice

- Carry out environmental impact assessments on all mining activities

D. To protect the interests of local communities

- Ensure consultation of locals in all stages of mining process
- Establish standard mining guidelines
- Facilitate Higher Education of East Timorese people in the area of environment and sustainable development

3. Active participation of East Timorese people in Timor Gap

A. Creation of multi-discipline team for Timor Gap negotiations

- Assist in the identification of suitably qualified candidates to be part of the Timor Gap negotiation team

B. Determine optimum financial arrangement for East Timor

- UNTAET & CNRT to carry out a comparative study on the petroleum fiscal arrangement to determine the best possible fiscal arrangement for East Timor

C. Prepare human resources for Timor Gap

- Establish courses in English and technical training
- Facilitate Higher Education of East Timorese people in fields relevant to Timor Gap

D. Ensure the inclusion of East Timorese in the Timor Gap Joint Authority and companies operating in the area

- Lobby companies working in Timor Gap to train and employ East Timorese

E. To create a Timor Gap Information Center in Dili

- Companies working in Timor Gap area, UNTAET and other institutions to assist in the creation of the Timor Gap information center

Papers

CNRT – Komisaun Minas No Fontes Energia	Dokumentasaun kona ba Timor Gap (Memorandum of Understanding, Advice Concerning the Status of the Timor Gap Treaty, Eighth (2000) Acreage Release	*English*
Komisi Pertambangan Dan Sumbe Energi (CNRT)	Dewan Perlawanan Nasional Timor (CNRT) Makalah –Strategi Perencanaan Pertambangan Dan Sumber Energi Timor Lorosae [Estrategia de Planeamento de Minas e recurso de Energia]	*Bahasa Indonesia*
NUNES, Mario Ribeiro	Makalah Dalam Rangka "Conferencia Hari'I Fali Timor Lorosae" Sector Natural Resources – Seccas Florestal/Forestry Section	*Bahasa Indonesia*
SALDANHA, Estanislau de Sousa	Prospect of Mining Management in East Timor	*English*
SOUSA, Antonio Loyola, LACERDA, Vincente	Report on Natural Resources	*Bahasa Indonesia*

Agriculture

Vision Statement

To create prosperity from agricultural-based resources.

Mission Statements

- Develop an ecologically sustainable and profitable agricultural system that leads to economic self-sufficiency and competitiveness for the East Timorese people.
- Provide farming communities with adequate, appropriate and timely technology, services and market access to increase their productivity and income.
- To make donor agencies accountable for foreign assistance in this sector.

Strategic Goals and Recommended Policies

1. Develop and safeguard plant industry throughout East Timor

Strategies

A. Provide adequate agriculture resources for the increased and sustainable production of basic crops.

B. Improve the existing infrastructure and services to allow farmers to exchange their produce.

C. Preserve and establish a seed-bank to protect the existing genetic resources.

D. Encourage and promote crop diversification and productivity through the proper land management and water conservation practices.

E. Introduce appropriate technology and services to improve the quality of export-oriented crops such as coffee, coconut, candlenut, cotton etc.

F. Provide adequate services to promote trade and marketing of export crops.

G. Increase production of fiber and tree crops such as coffee, coconut, candlenut, cotton etc.

Policies

1. Establish a scheme to make available to farmers adequate information, input and resources.
2. Promote land use for soil protection and food diversification.
3. Encourage the evolution from self-sufficiency agriculture toward market oriented farming systems.
4. Encourage increasing cash crop production with special attention to improvement of quality in order to increase the global value of exports and farmers income.
5. Optimize the settlement of market economy and environment to maximize the value of agriculture products.

2. Develop and safeguard livestock industry throughout East Timor

Priorities

1. Replace and increase the livestock production (own consumption)
2. Increase animal production through sustainable feeding management
3. Increase animal production through genetic quality improvement
4. Development of dairy industry
5. Provide veterinarian services
6. Improve horse transportation (increase population of horses and cart production)

Agri-Livestock Policies

1. Replacement of water buffalo and cattle population to provide traction/labor for rice farmers (rice farmers cooperative/needy farmers).
2. Provide needy farmers with:
    - diverse livestock (poultry, small ruminants and pigs)
    - animals for traditional "off-spring exchange"
    - micro-credit schemes through international NGO's and Government
3. Provide pasture through providing farmers with grass and legumes together with training on sustainable fodder and pasture management.
4. Development of improved penned animal production:
    - grass planting on fields borders etc. for cut and carry feeding systems
    - integrated farming/manure production for crops.
5. Selection of good quality genetic stock for breeding.
6. Promotion of dairy production for domestic consumption and marketing including training programs (IE. feeding, selection for breeding, artificial insemination [AI] services, breeding cooperatives of farmers [i.e. one farmer one bull], marketing system for dairy products).
7. Develop an agricultural policy that protects local dairy markets (for initial period).
8. Develop the dairy industry as a private sector.
9. Manage assistance from international NGO's and UNTAET for appropriate, good quality materials.

Veterinary Policies

1. Establish a Veterinary Department within the Ministry of Agriculture and Livestock.
2. Make required veterinary drugs affordable (free during transitional period).
3. Establish a quarantine station.
4. Encourage horse transportation in remote areas.
5. Promote horse-cart production by local craftsmen (including training courses for carpenters, etc.)
6. Promote establishment of slaughterhouses by private sector through the provision of credits.
7. Establish a separate meat section in public markets.

Other General recommendations

1. Protect agriculture sector through tariff system during transitional period
2. Establishing micro-credit system for agriculture sector.
3. Promote agribusiness through the provision of credits (including training and provision of conducive taxes during transitional period).

3. Promote and develop a fishing industry

A. Reinsure Sovereignty

  i. Affirm the sovereignty of East Timor over territorial waters in accordance with international law.

  ii. Demand the entrance of East Timor as a member of all international institutions and agreements relating to fisheries management and protection.

  iii. Stop all forms of illegal or uncontrolled fishing in East Timor waters.

B. Manage the sustainability of the fishing industry

  i. Promote, as soon as possible, the study of the major commercial species through internationally available scientific and technical methods;

  ii. Create regulatory legislation for the fishing industry;

iii. Keep fishing quotas below the maximum level agreed for sustainability;

iv. Create regulatory legislation on fisheries within the major fields of:

- Small scale fisheries
- Tuna fisheries
- Sahul bank
- Deep sea fisheries

v. Promote safety standards.

C. Promote the aquaculture (farming) industry

i. Rationalization sector with the aim of transforming it into a successful private sector.

ii. Develop policies promoting investment in aquaculture in the major areas:

- Mountain and inland waterways including brackish water
- Marine waterways

iii. Develop low-value species to become high-value marketable produce

D. Develop a successful marketing strategy

i. Quickly implement international level technology and safety standards, through the improvement in infrastructure and the implementation of safety control

ii. Multifunction harbor construction on the south cost

iii. Implement HHCCP (Health Hazard Control Program) standards

E. Environmental protection: Protect biodiversity and create special protection zones (mangrove, corals etc) according to sensitivity and significance.

4. Promote a sustainable forestry for East Timor

Priorities

1. Protect national forestry.
2. Develop inventory of flora and fauna in order to promote eco-tourism.
3. Conserve native flora and fauna.
4. Rehabilitate indigenous forest trees such as sandalwood and teakwood.
5. Recruit Timorese technical staff for Forestry Department in both operational and management positions.
6. Map land use and land capability.

Policies

1. Establish regulation for logging, flora and fauna protection, export and import of forestry products.
2. Establish mechanisms for dissemination regulations including information centers.
3. Develop further agro-forestry initiatives.
4. Involve church and community leadership to safeguard national forestry.
5. Establish forest plant and seed quarantine.

5. Develop small-scale agricultural businesses

Strategies

A. Develop small scale agro businesses and credit system to support and enhance income in rural areas

B. Promote ongoing human resource and institutional capacity building through government.

Policies

1. Establish legislation to promote and protect marketing of agriculture produce.

2. Establish an agriculture college and provide scholarships;
3. Establish agricultural research institutions
4. Establish legislation to safeguard provision of credit in rural areas
5. Assist self-sufficient farming communities.

6. Promote quality services for the entire sector

A. Undertake a survey and mapping of agriculture resources.

B. Establish agricultural commodity zones.

C. Mobilize available resources to support agricultural development and increase production or income.

D. Establish an agrochemical body and regulatory legislation to register and authorize the use of agrochemical products.

E. Establish a quarantine

7. General recommendations

A. Support low-income farmers through a credit system

B. Establish a coffee board to regulate marketing

C. Create a network with agriculture experts and institutions, creating an exchange program.

D. Develop agriculture infra-structure by investing capital and equipment in order to:

  i. Increase areas of cultivation
  ii. Intensify horticulture production
  iii. Support irrigation systems
  iv. Promote dry land farming

Associated World Bank Programs

The World Bank and East Timorese counterparts have developed this program in the Agriculture Sector.

Agriculture Rehabilitation Strategy and Development Project

Grant Amount/Source: US$7.8 million. Source World Bank

Objectives

To restore selected public and private sector productive assets and infrastructure for the purpose of

- (i) Jump-starting agricultural production and the rural economy and
- (ii) Improving food security at the household level.

Project components include priority productive asset restoration, irrigation systems rehabilitation and technology advice and service centers.

Status

- (i) Sector program completed in April
- (ii) Technical appraisal completed
- (iii) Project signing expected in late June.

Papers

ABEL, Jose dos Reis F.	Agriculture Sector	*English*
GUERRA, Pedro	Proposta de Desenvolviment do Sector das Pescas [Development of Fisheries]	*Português*
VIEGAS, Edmundo	Agricultural Mechanization for Sustainable Development of East Timor Revisited	*English*

Environment

Context

An independent *Timor Lorosae* should not have to choose between environment and development. One must be planned with the other. Development is the utilization of human and natural resources to advance the happiness and welfare of people. Environment is the total stock of natural and social resources available to humans and other species. Therefore our national goals are for sustained, environmentally sound, humane development, planned within the constraints of and in harmony with the natural environment.

Vision Statement

A sustainable, healthy environment and a better quality of life in East Timor.

Mission Statements

The mission of the government of *Timor Lorosae* should:

A. Involve and thus empower the community in the decision-making, planning, design and implementation of infrastructure and development projects, keeping in mind that while development priorities in East Timor are to meet basic needs they should be environmentally friendly.

B. Ensure infrastructure projects are culturally and ecologically appropriate.

Strategic Goals

1. Research and develop alternative energy sources

A. Research and develop alternative energy source e.g. solar and wind energies to meet the energy needs of all East Timorese while keeping a clean environment and reducing long term energy costs.

B. Establish rules and regulation to promote efficient use of energy.

C. Promote and develop the use of hydro-electronic energy.

D. Develop appropriate transportation and storage of energy.

E. Establish and develop proper training for technical staff.

F. Encourage energy efficient housing and construction to help reduce overall energy consumption.

2. Improve health/safety conditions by protecting the environment and curbing pollution

A. Establish safety regulations and law enforcement for pollution to improve health and safety conditions and to meet adapted standards and international obligations.

B. Make a survey to find all East Timorese graduates and others with experience in this issue.

C. Set up an environmental authority to monitor and initiate environmental audits.

D. Provide public education and empowerment.

E. Initiate community consultation and training.

F. Any activity that causes environmental damage is to be cleaned up by the responsible party or parties.

G. Implement activities that encourage community participation in environmental matters, e.g. Clean Up Day, Arbor Day, etc.

3. Prevent landslides and erosion

A. Initiate community participation in reforestation programs.

B. Protect ecosystems through recovery programs such as recovery of endangered species and lost natural habitat.

C. Control the introduction of foreign plants and animals.

D. Carry out vegetation studies, seed collection and rehabilitation of endemic species, which prevent erosion.

E. Identify potential areas for eco-tourism so that local areas can benefit from conservation projects.

F. Promote protection of natural habitat.

4. Protect the marine environment

A. Set up marine protection authority to monitor fisheries, aquaculture and tourism.

B. Carry out a risk assessment (environmental impact assessment) of marine resources exploitation.

C. Develop marine transport guidelines.

D. Establish water boundaries.

E. Establish marine parks and protected areas.

F. Avoid disposal of raw sewage into the ocean.

G. Establish community consultation and education programs.

5. Develop programs for sustaining flora and fauna

A. Set up and integrated authority of land and marine.

B. Establish programs for the prevention of animal cruelty (e.g. RSPCA) and control of hunting activities (e.g. Crocodiles, deer).

C. Carry out flora and fauna studies and compare with past studies to identify and protect endangered and extinct species.

D. Set up breeding programs to protect endangered species.

E. Set up quarantine.

6. Prevent over-exploitation of natural resources

A. Establish an authority to regulate natural resources.

B. Control toxic waste from mining, refineries, industries etc.

C. Provide continual improvement and assessment of mining management.

7. Establish environmental protection

Protect Bio diversity and create special protection zones (mangroves, corals etc.)

Recommendations

To set up a Committee or Task Force comprising professionals and other interested parties to

A. Concretize the outcomes of the plan

B. Integrate urban and rural infrastructure

C. Set up information network in environment sectors

D. Make a survey list of all East Timorese graduates and their experience.

Associated World Bank Programs (see Economic Sector: Dili Employment Project)

TRANSITION

Context

The conference heard proposals for an interim transitional government to be established in coalition with UNTAET personnel. These proposals were introduced by Peter Galbraith (Director of Political Affairs) at a meeting of the whole conference. The proposals were further explained and discussed at a daylong workshop.

Vision Statement

To create a provisional government of national unity.

Structure

1. An expanded National Consultative Committee (NCC) to include representatives of youth, women, NGO's and district representatives to act as an interim legislative body (making and reviewing legislation and regulations)
2. The selection of 10 ministers to act as an interim executive government. (It was proposed that 7 ministers should be East Timorese while the portfolios of Foreign Affairs and Defence, Finance and Justice would remain with UNTAET interim ministers for the period of transition.
3. The full executive (10 ministers) would be accountable to the NCC and appear before it to answer questions.
4. The establishment of an East Timorese administration. UNTAET has begun the process of recruiting and training a civil service. Developing capacity is a long-term process. In the interim UNTAET will provide the administrative function gradually handing over to an East Timorese administration. Both UNTAET departments and East Timorese administration will be responsible to their respective Ministers.
5. District administration –Transitional Administrator is to appoint East Timorese Deputy District Administrators.
6. District Administrators to appoint District Advisory Councils.

Objectives

1. To build the capacity of East Timorese through on the job training and experience of democratic self-government.
2. The holding of free elections of constituent assembly to become the Parliament.
3. Adoption of the East Timor Constitution.
4. Full transition to an independent East Timor.

Process

- UNTAET will facilitate broad East Timorese participation in the formulation of the constitution.
- UNTAET will set up a Constitutional office to begin consultation with CNRT and other leaders.
- The Constitution Office will arrange seminars and conduct some public education on these issues.
- UNTAET will commence work on draft electoral laws, which will be informed by the content of the constitution.

Workshop Recommendations

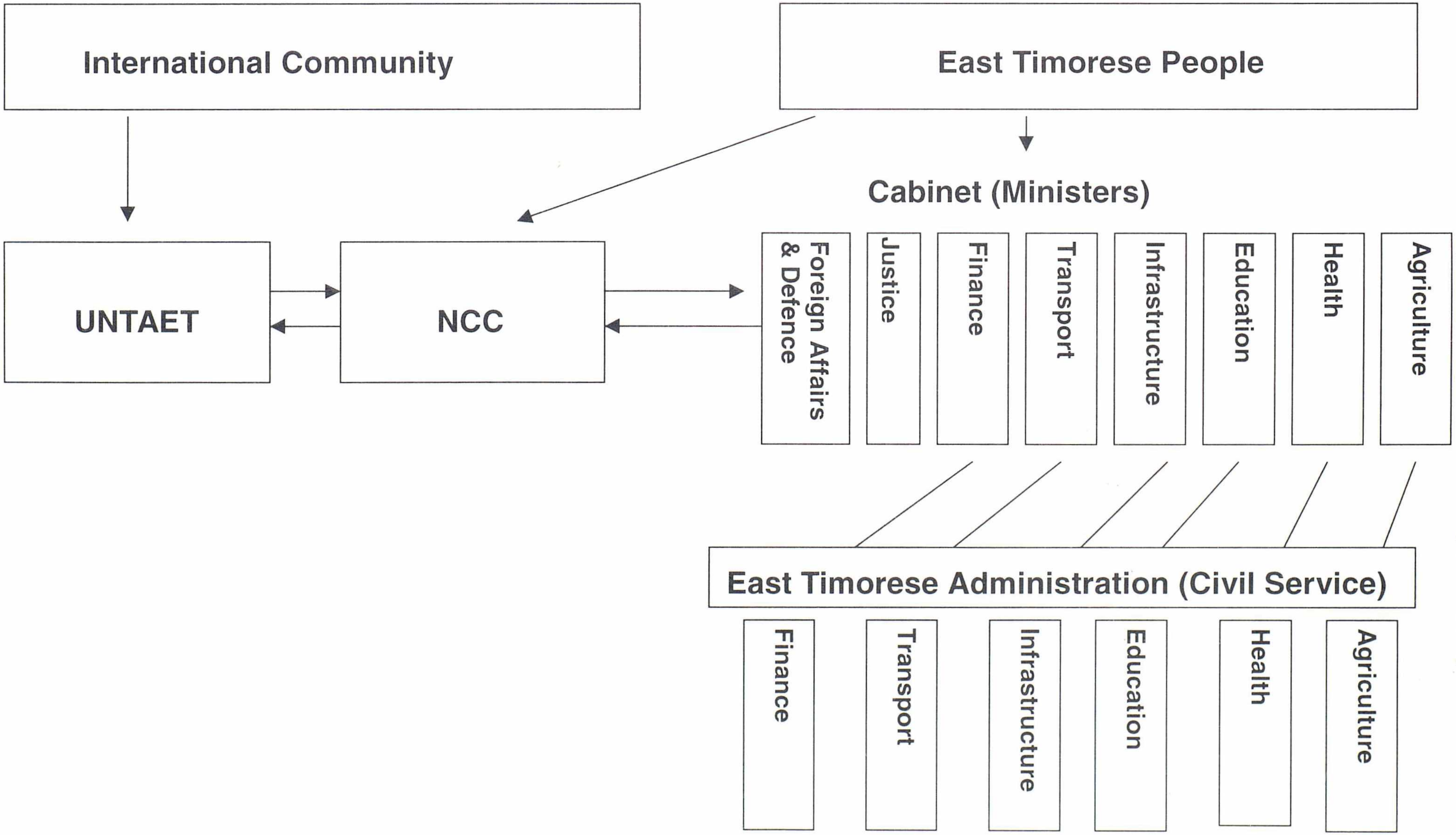
- Youth perspective "UNTAET should be like a mother or father, not a President".
- Capacity building needs to be a priority for UNTAET and CNRT.
- Clear outline of the proposed model needs to be presented to the NCC as soon as possible.
- The process and the final model must fit East Timorese political and social life.
- Consultative mechanisms for the model should be broad, thorough and transparent.
- Experienced East Timorese need to be consulted with appropriate translation and interpreting provided.
- Skilled and/or qualified East Timorese (local and diaspora) need to be encouraged to apply for UNTAET and civil service roles.
- Prior experience in government administration and resistance movements needs to be recognized.

Papers

GALBRAITH, Peter	Remarks made by Peter Galbraith, Director, Office of Political, Constitutional and Electoral Affairs, UNTAET	*English*
VIEIRA DE MELLO, Sergio	Closing Speech making reference to transition	*English*
UNTAET	Draft Discussion Paper on the Political Transition	*English*

Proposed Model for Transitional Government

Presented by Peter W. Galbraith 2/6/2000



International Community

East Timorese People

Cabinet (Ministers)

UNTAET

NCC

Foreign Affairs & Defence

Justice

Finance

Transport

Infrastructure

Education

Health

Agriculture

East Timorese Administration (Civil Service)

Finance

Transport

Infrastructure

Education

Health

Agriculture

Closing Address by SRSG Mr. Sergio Vieira de Mello

I am very pleased to address this important Conference, which has allowed a broad cross-section of the East Timorese civil society and international partners to gather and consider the way forward for East Timor.

This has been a unique opportunity. Xanana Gusmao described in his opening speech how difficult it has been for the CNRT, in the face of the traumas of the devastation, to gather itself and organize for the future. And yet it did, and continues to do so.

UNTAET faced similar challenges in organizing to meet the demands of administering East Timor following the complete destruction of the country's infrastructure. I believe now the most acute phase of the emergency is overcome, we have reached a key juncture. We must chart the way forward together, both in reconstruction and development and in terms of the next steps from the transitional administration of today to the East Timorese government which will preside over an independent nation tomorrow.

Throughout this Conference, East Timorese and international staff have reviewed the progress so far. I will not spend much time here giving my own opinion of the strengths and weaknesses of the transitional administration. I know that the criticism of UNTAET is usually along the same lines. We are slow, we take decisions and set priorities without consulting sufficiently with East Timorese, and some have also said that many of our staff do not have the required skills for their jobs.

Should things be happening faster? Nobody in UNTAET would disagree and all of us are frustrated with the slow rate of progress in establishing an administration from the ashes left behind by the destruction of September. We hear clearly your concerns that UNTAET fails to communicate or involve East Timorese sufficiently. I must say that from the very beginning we have done our best to consult the leadership of CNRT, the Church and others through the National Consultative Council. In fact, I have taken few, if any, major decisions without consulting the leadership of CNRT. The NCC has reviewed and strongly debated every UNTAET regulation. It is currently discussing in great detail every aspect of the budget for reconstruction and development and for government services. UNTAET staff also work constantly with CNRT sectorial groups, NGO's and others. Still, I agree that the NCC is not seen as a fully representative and transparent body and few Timorese, in fact, are aware of its work and achievements. Both UNTAET and the CNRT probably share the challenge of communicating more and better both within their organizations and also, with the people throughout East Timor. A bit later, I will suggest some ideas to improve the participation of the East Timorese in the transitional process.

This conference has focused on strengths and weaknesses of each sector of administration so far, and made recommendations for the issues, and so on. Therefore, I will not take your time to present my views of the strengths of UNTAET thus far. Substantial achievements could be listed, but I have not come here for UNTEAT propaganda purposes. It is more important, as we leave behind the emergency period, that we decide together on the most productive relationship between UNTAET and the East Timorese from the present until the end of the transitional period. That will happen much faster than any of us expect, depending on what you and the Security Council decide.

I will make proposals, next week, which will boost East Timorese participation in the process of transition. Specifically, we are considering the expansion of the National Consultative Council to include representatives of each district, youth, women, NGO's and labor –in short, a broader cross section of East Timorese society than is presently the case.

We will also move forward with the appointments of senior East Timorese in the administration, both in the districts and in the departments of UNTAET headquarters. This will be done in a transparent manner. Similarly, the recruitment process into the new Civil Service will begin soon. It will be rigorous, to ensure that the best-qualified individuals are selected and to protect against corrupt and nepotistic practices in the civil service. Thousands will be in place in a matter of months, forming the foundation of the new administration.

What we need to decide in addition however, is how East Timorese will be involved in the policy making process. We need to decide where political responsibility will lie. Two models for were discussed at this conference.

Under the current model, UNTAET manages each of the major departments, which execute public policy and administer sectors, such as health, education, infrastructure, etc. Each department is managed by a senior international UNTAET staff. They are responsible for designing the civil service and progressively, handing over the civil service to East Timorese staff. Competent East Timorese could replace these international heads of departments. We would "Timorise" at the higher level, what I might call an administration headed by technocrats as opposed to politicians. At the end of the transitional period the aim will be to hand over a fully East Timorese civil service to the elected government of East Timor. This process is underway and we can choose to ensure that a more representative NCC reviews all major policy decisions. However, there will be limited East Timorese political responsibility over and accountability for the administration of East Timor. This is the technocratic option.

The second model, which Peter Galbraith presented to the Conference last Tuesday, would also involve a progressive recruitment of East Timorese into the administration at all levels. However, the participants also expressed concern about how East Timorese would be selected and appointed to serve as senior political appointees in the absence of elections, and worried about political factionalism. I am not here to press you to accept one model or another. Indeed, you might suggest an alternative model. But I am here to tell you that we must decide now. We will do our best to carry out the transition period according to the model you choose. I should tell you also that we would have to get the agreement of the United Nations Headquarters in New York and perhaps the Security Council even though I must tell you I have read yet again Resolution 12/72 which gives us very broad, very far-reaching authority which might be sufficient for us to apply one or the other model. But I am confident that they, like us, understand that UNTAET is only here to assist and serve the East Timorese. And so your choice will carry the most weight. I hope you will consider these proposals as a serious, honest effort to work out a mutually agreeable transitional arrangement.

Over the next ten days, we should discuss this issue further. In the NCC, and in public hearings, I would encourage you to take this fundamental question back to your colleagues who are not here today. Whatever decision is taken we must then put aside the sense, mistakenly held by many, that UNTAET is on a separate path from the East Timorese. We know that we agree on the end goal- a constitution respecting democratic principles and human rights and an elected government supported by a functioning Public Administration. Let us decide now on our transitional arrangement and move together to reach that ambitious goal.

Conference Closing Address of President Xanana Gusmao

Mr Sergio Vieira de Mello, Senior Administrator of the UN, to all Dear Participants and Friends of East Timor, today this conference ends.

Today we have heard a summary of all the hard work of the conference. We have heard the distillation of the data, the ideas, the thoughts and interaction between approximately 400 people. Many more people than we ever imagined. Over 250 East Timorese participated and over 100 international guests from the UN and other organisations came here to Tibar and shared their thoughts and observed the proceedings. The high levels of participation and enthusiasm were clearly evident.

Like the long Struggle we have had to endure in the past years, this conference has required from everyone involved: diligence, tenacity, patience and flexibility. The conditions have not been easy but after all, this was a "Reconstruction Conference"!

This conference is an example of a methodical process of discussion, sharing of ideas, of strategic planning, of consensus amongst the participants or simply agreeing to disagree. It is the journey, the process itself that is as important as the final results. This conference offers us a great model for future forums.

The results are clear. As you have heard today we have had various recommendations in all the ten sectors. Some recommendations were clear and some need more work but we have reached our goal.

These proposals will be available in a final Conference Report from the organizers. These proposals will also be submitted to the CNRT Congress in August and will also be used in our dialogue with UNTAET about future planning for our new nation.

But this is not the end of this process. In has to be continued. Four days cannot produce everything we need. Our policies have to be developed and refined and continually adapted to the changing conditions. I hope that those involved in this conference will continue to be involved in the development in their specific sector areas, working to ever better their achievements of this week. As well, co-ordination of these efforts needs to be ongoing.

As far as the proposal of the Administrator of the United Nations, I am also not going to make propaganda for the CNRT, but I promise you we will have many meetings to debate this important and crucial question because we all have the same objective in mind: to lead a transition that will be, not only a success for UNTAET, for the UN, for the international community, but most important of all, a success for the East Timorese people.

I want to thank all those who engaged themselves at this conference in the hard work of thinking. Also the cooks in the kitchen, the workers who looked after the venue, the logistics and administration. Thank-you to all those organizations that gave donations and support.

A special thank-you to the staff of Caritas, East Timor and the East Timor Development Agency notably Padre Francisco Barreto, Roberto Cabral and Emilia Pires who were instrumental in organizing this conference. Thanks to all those who made this mental exercise possible so that from now on we may learn to respect the ideas of others, accept the best and correct those that require it. In this way the Timorese can learn the process of democracy.

Concerning the proposals put forward by the Transitional Administrator. Mr Sergio Vieira de Mello has indeed already invited CNRT to profound discussions on this issue. This means that this problem that has appeared to be UNTAET's problem alone will become the problem of all of us because they are, more than any others, our problem.

East Timor Women's Congress

Dili, East Timor, 17-17 June 2000

Partial Results

IMPLEMENTATION STRATEGY FOR THE PLATFORM FOR ACTION FOR THE ADVANCEMENT OF WOMEN OF TIMOR LORO SAE

1. Introduction

The Platform for Action for the Advancement of Women of Timor Loro Sae is the first attempt to analyze the situation of women and devise policy and strategies for the empowerment of women. It has been adopted by the First Congress of Women of Timor Loro Sae held in Dili on June 14-17 2000. (See attached document)

The Congress was held at a time of great challenges for Timor Loro Sae as it undertakes the road from transition to independence after more than 24 years of occupation and armed conflict. It is a time where the only constant is change and when difficult choices are being made regarding nation building, reconciliation, justice, democracy and the reconstruction and development.

Participants chosen by their peers after pre-Congress regional consultations represented all 13 districts of Timor Loro Sae, including the enclave of Ambeno and the island of Atauro.

2. Priorities

The following areas were identified as priorities for action at thematic workshops conducted during the Congress:

- **Participation in decision-making:**
  Mechanisms must be established and adequate resources for the inclusion of women as equal participants in all areas of decision-making to ensure the advancement and empowerment of women.
- **Legal System and Justice:**
  Laws, legal mechanisms, and support services which uphold a woman's rights to be established.
- **Compensation and reparations:**
  Justice for women victims of violence experienced in the last 24 years of Indonesian military occupation.
- **Constitution:**
  The development of East Timor's Constitution must be inclusive, with a consultative process with a clear time line and plan which ensures women's input.
- **Vulnerable Groups:**
  Development and consideration of policy options to provide services, support and protection of the human rights of vulnerable groups.
- **Health**
  Implementation of health programmes to cover all aspects of women's health throughout her life cycle.
- **Education and Literacy**
  Education and literacy programmes for women and girls.

- **Economy**
  A people-based economic system which is strengthened from the bottom-up, in which women have equal rights to land, employment and investment opportunities.

- **Media and Public Information**
  Increase participation and access of women to expression and decision-making in and throughout the media and new communication technologies.

3. Plan of Action

STRATEGIC OBJECTIVE	ACTION	IMPLEMENTING AGENCIES
Participation in decision-making: Mechanisms must be established and adequate resources provided for the inclusion of women as equal participants in all areas of decision-making to ensure the advancement and empowerment of women.	• Measures should be adopted to ensure that women fill a minimum of 30% of positions within government and civil service.	UNTAET Interim Transitional Government/post-Transitional Government.
	• Training and capacity-building programmes on women's leadership must be provided.	UNTAET United Nations Agencies, World Bank, Asia Development Bank (ADB); and international NGOs, bilateral donors.
	• The establishment of a Gender Affairs office at the highest level of national government, with at least 50% of the Gender Affairs Office are East Timorese women.	UNTAET Interim Transitional Government/post-Transitional Government.
	• Such an office must have sufficient financial, human and technical resources to commit to capacity building of East Timorese women.	UNTAET Interim Transitional Government/post-Transitional Government.

STRATEGIC OBJECTIVES	ACTION	IMPLEMENTING AGENCIES
Legal System &Justice: Laws, legal mechanisms, and support services which uphold a woman's rights.	• The introduction of laws, which protect women and ensure witness protection, such as specific laws targeting domestic violence, rape and sexual assault, and rules of evidence.	Interim Transitional Government/post-Transitional Government.
	• Timor Loro Sae should become a signatory to the Convention on the Elimination of Discrimination Against Women.	Interim Transitional Government/post-Transitional Government.
	• Law reform, which ensures the elimination of discrimination of women in traditional and national law. e.g., inheritance and property laws.	Interim Transitional Government/post-Transitional Government.
	• Return Barlaque ('bride price") to its original meaning of unification of two families.	Interim Transitional Government/post-Transitional Government.
	• Ensure that there are separate prisons and custodial arrangements for female detainees.	Interim Transitional Government/post-Transitional Government.
	• Separate legal jurisdiction and custodial facilities for minors (ie. Under 18)	

STRATEGIC OBJECTIVES	ACTION	IMPLEMENTING AGENCY
Constitution: The development of East Timor's Constitution must be inclusive, with a consultative process with a clear time line and plan which ensures women's input.	• Women must be involved in the process of law making in East Timor, during transition and in an independent East Timor.	Interim Transitional Government/post-Transitional Government;
	• The Consultation mechanism and process must include representatives of women's organisations	REDE - East Timorese Women's Network - Executive of East Timorese Women's Congress, and 12 representatives of women's NGOs.
Vulnerable Groups: Development and consideration of policy options to provide services, support and protection of the human rights of vulnerable groups, such as:	♦ Develop legislative framework to specifically protect human rights of vulnerable groups, ensuring their protection in the Constitution.	Interim Transitional Government/post-Transitional Government
• People with a disability, especially veterans who received these disabilities as a result of the conflict	♦ Ensure non-discrimination in terms of employment, and access to goods and services.	Interim Transitional Government/post-Transitional Government in consultation with NGOs and stakeholders.
• Widows	♦ Examine options for support of female-headed households;	Interim Transitional Government/post-Transitional Government
• At risk children who are in need of care and protection	♦ Develop policy and programmes for alternate care of children at risk.	International/National NGOs, UN Agencies (UNICEF)
• Women who have experienced or are experiencing domestic violence, sexual violence or sexual slavery.	♦ Development of services to provide support for women survivors of gender-based violence.	Interim Transitional Government/post-Transitional Government in consultation with NGOs and stakeholders.
• The elderly.	♦ Ensure provision of appropriate support services such as housing, care, and health facilities for the aged.	Interim Transitional Government/post-Transitional Government in consultation with NGOs and stakeholders.

STRATEGIC OBJECTIVES	ACTION	IMPLEMENTING AGENCY
HEALTH: Implementation of health programmes to cover all aspects of women's health throughout her life cycle.	• Health services should meet women's special needs, such as reproductive and maternal health;	Interim Transitional Government/post-Transitional Government;
	• Family planning should be based the democratic principles of informed choice.	Interim Transitional Government/post-Transitional Government; United Nations agencies, international NGOs.
	• There should be initiatives to promote use of women's traditional knowledge of medicinal plants to advance community health.	Interim Transitional Government/post-Transitional Government; United Nations agencies, international NGOs.
	• Ensure accessibility and gender sensitivity in provision of health services.	Interim Transitional Government/post-Transitional Government United Nations agencies, international NGOs.
	• Ensure adequate public health measures such as access to clean water, safe sanitation and appropriate waste disposal processes.	
	• Licensing laws must be enacted to restrict and control the sale of alcohol	

STRATEGIC OBJECTIVES	ACTION	IMPLEMENTING AGENCY
Education: Education and Literacy programmes for women and girls	• Development of a national literacy programme for women of all ages;	Interim Transitional Government/post-Transitional Government;
	• Provide incentives to increase participation of girls and women in primary, secondary and tertiary education.	United Nations agencies, international NGOs. Interim Transitional Government/post-Transitional Government.

STRATEGIC OBJECTIVES	ACTION	IMPLEMENTING AGENCY
Economy: A people-based economic system which is strengthened from the bottom-up, in which women have equal rights to land, employment and investment opportunities.	• Enact labour laws based on equal opportunity principles guaranteeing women's rights including tights during pregnancy and adequate provisions for paid maternity leave.	Interim Transitional Government/post-Transitional Government United Nations agencies, international NGOs.
	• Laws which guarantee rights of women to land and property, constructions, and natural resources to be enacted.	
	• Women with small businesses or working in small industry should be supported to establish an advocacy association for protection of their interests/rights	Interim Transitional Government/post-Transitional Government United Nations agencies, international NGOs.
	• Establishment of a women's business cooperative in areas of agricultural production, handicraft and manufacture to strengthen women's economic role;	Interim Transitional Government/post-Transitional Government
	• Measures to be enacted which ensure that the recruitment processes within government are equitable, with at least 50% female candidiates;	Interim Transitional Government/post-Transitional Government; World Bank, ADB, United Nations agencies, international NGOs.
	• Training programmes for women farmers;	Interim Transitional Government/post-Transitional Government
	• Ensure women's representation in Agricultural Department	

STRATEGIC OBJECTIVES	ACTION	IMPLEMENTING AGENCY
MEDIA AND INFORMATION: Increase the participation and access of women to expression and decision-making in and throughout the media and new technologies of communication	• Promote women's full participation in the media, including media, programming, education, training and research. • Guarantee the freedom of the media and its protection within the framework of law. • Take measures to prevent stereotyping of women in the media, and their portrayal as provocateurs in crimes against women. • Train women to make greater use of information technology for information and the media at national and international levels.	Interim Transitional Government/post-Transitional Government United Nations agencies, international NGOs.